

Final Draft - July 31, 2014

# APPLICATION GUIDE

## for Local Agencies

### LAND AND WATER CONSERVATION FUND (LWCF)



State of California  
Natural Resources Agency  
Department of Parks and Recreation  
Office of Grants and Local Services  
*"Creating Community through People, Parks, and Programs"*



**Send Applications and Correspondence to:**

**Street Address for Overnight Mail:**

Calif. Dept. of Parks and Recreation  
Office of Grants and Local Services  
1416 Ninth Street, Room 918  
Sacramento, CA 95814

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Sacramento, CA 94296-0001

**Phone:** (916) 653-7423

**Website:** [www.parks.ca.gov/grants](http://www.parks.ca.gov/grants)



## **Department Mission**

The mission of the California Department of Parks and Recreation is to provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation.

## **The Office of Grants and Local Services (OGALS) Mission Statement**

The mission of the Office of Grants and Local Services is to address California's diverse recreational, cultural and historical resource needs by developing GRANT programs, administering funds, offering technical assistance, building partnerships and providing leadership through quality customer service.

## **OGALS Vision Goals**

- ❖ Proactive in meeting California's park and recreation needs through innovative GRANT programs and customer service.
- ❖ Committed to providing quality customer service in every interaction and transaction as honest, knowledgeable, and experienced GRANT administrators.
- ❖ Sensitive to local concerns while mindful of prevailing laws, rules and regulations.
- ❖ Responsive to the needs of APPLICANTS, GRANTEES, nonprofit organizations, local governments, and legislative members, who are our partners working to improve the quality of life for all Californians by creating new parks and recreation opportunities.

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**OGALS WELCOMES YOU**  
**to the Local Agency Land and Water Conservation Fund (LWCF)**  
**Competitive Program**

- ❖ Use this guide for the APPLICATION process. The APPLICATION process for LOCAL AGENCIES is COMPETITIVE.
- ❖ OGALS recommends that you review the GRANT ADMINISTRATION GUIDE and the POST COMPLETION PARK STEWARDSHIP GUIDE before sending your APPLICATION to OGALS.
  - The GRANT ADMINISTRATION GUIDE contains important information about administrative requirements for APPLICATIONS that receive GRANT awards (GRANTEE requirements).
  - The POST COMPLETION PARK STEWARDSHIP GUIDE contains important information about the operation and maintenance requirements in PERPETUITY for land within a 6(f)(3) BOUNDARY MAP approved by the National Park Service (NPS).

**See page 72 for the definitions of words and terms shown in  
 SMALL CAPS that appear throughout this guide.**

- ❖ Please call or email OGALS with any questions or comments. Contact information for OGALS is given on the front cover of this guide.
- ❖ You can find more information about OGALS grant programs at [www.parks.ca.gov/grants](http://www.parks.ca.gov/grants). It features a link to our LWCF page, which provides technical assistance materials and updates, staff contacts, and the GRANT ADMINISTRATION GUIDE and the POST COMPLETION PARK STEWARDSHIP GUIDE.
- ❖ Visit OGALS on Facebook to learn about successful projects.

### **Why Parks Matter**

PARKS are unique places where children play, people exercise, families bond, seniors socialize, youth are mentored, cultures share and celebrate their differences, and everyone connects with nature. For these reasons, vibrant PARKS funded by this program will be a cost-effective means of creating humane, livable communities.

## LWCF Overview

Pages 3 through 18 of this section provide the following overview information:

1. LWCF Legacy
2. Eligible LOCAL AGENCY APPLICANTS
3. ELIGIBLE PROJECTS
4. GRANT Amount and GRANT REQUEST RANGE
5. MATCH and RATE OF REIMBURSEMENT
6. APPLICATION Process and GRANT PERFORMANCE PERIOD
7. APPLICATION Eligibility Card

### LWCF Legacy

On February 14, 1963, President Kennedy's Administration proposed legislation to establish a "Land and Water Conservation Fund" to assist States in planning, ACQUISITION, and DEVELOPMENT of recreation lands. With bipartisan support, President Johnson signed it into law on September 3, 1964, as Public Law 88- 578, 16 U.S.C. 460/-4.

The LWCF program is currently administered nationally by the National Park Service (NPS). It was previously administered by the federal BUREAU OF OUTDOOR RECREATION from 1964 to 1978 and the HERITAGE CONSERVATION & RECREATION SERVICE from 1978 to 1981. Funds allocated to California are administered by the DEPARTMENT under the provisions of the California Outdoor Recreation Resources Plan Act of 1967, (Public Resources Code §5099 et seq.). Outer Continental Shelf mineral receipts, sales of federal surplus real property, federal recreation fees, and federal motorboat fuel taxes all serve as funding sources for the LWCF.

**When a LWCF PROJECT is completed, the land within the approved 6(f)(3) BOUNDARY MAP is placed under federal protection to preserve the public's outdoor recreational use of the site in PERPETUITY for the benefit of our nation's future generations.**

This PARK protection legacy is based on the provision of Section 6(f)(3) of the LWCF Act. Thousands of parks throughout California will remain as perpetual monuments to the foresight of President Kennedy's Administration and the American people.

## **Eligible Local Agency Applicants**

- Cities and Counties
- Federally recognized Native American tribes
- JOINT POWERS AUTHORITIES (JPA) where all members are public agencies. A JPA can include a State Agency if at least one member is a local (non-State) public agency or district formed for the purpose of providing PARK and recreation areas.
- Non-state agency recreation and PARK districts and special districts with authority to acquire, operate, and maintain public PARK and recreation areas.

## **Amount of Funds Available to Eligible Local Applicants**

There are three potential LWCF funding sources:

1. Annual APPORTIONMENT TO CALIFORNIA.
2. UNOBLIGATED FUNDS from previous APPORTIONMENTS TO CALIFORNIA.
3. STATE REAPPORTIONMENT ACCOUNT funds from previous APPORTIONMENTS TO CALIFORNIA.

OGALS cannot predict the future amounts of each annual APPORTIONMENT TO CALIFORNIA (recent years have been approximately \$3-4 million), or possible UNOBLIGATED FUNDS or STATE REAPPORTIONMENT ACCOUNT funds that may or may not become available each federal fiscal year.

- The official APPORTIONMENT TO CALIFORNIA is known when Congress appropriates the funds and NPS notifies OGALS. The federal fiscal year starts on October 1.
- Approximately 60% of the annual APPORTIONMENT TO CALIFORNIA is made available for LOCAL AGENCY COMPETITIVE GRANTS.
- The remaining approximately 40% of the APPORTIONMENT TO CALIFORNIA is available to eligible STATE AGENCIES on a PRO-RATA COMPETITIVE basis (see the Application Guide for State Agencies).
- The above percentages are referenced in Public Resource Code §5099.

## **Maximum Grant Amount per Application**

- \$2,000,000 is the maximum GRANT request amount. However, APPLICANTS are encouraged to establish a GRANT REQUEST RANGE as explained on the next page.
- The maximum GRANT request amount cannot exceed 50% of the TOTAL PROJECT COST.

## Grant Request Range

APPLICANTS are encouraged to establish a GRANT REQUEST RANGE using the APPLICATION Form on page 21, the GRANT SCOPE/Cost Estimate Form on page 27 and additional guidance on the MATCH and RATE OF REIMBURSEMENT Form found on the next two pages.

The GRANT REQUEST RANGE is:

- Maximum of Range: 50% of the TOTAL PROJECT COST, up to \$2,000,000 per APPLICATION.
- Minimum of Range: The lowest amount that the APPLICANT is willing to accept, that is less than 50% of the TOTAL PROJECT COST.

Example of a GRANT REQUEST RANGE:

- TOTAL PROJECT COST is \$4,000,000.
- APPLICANT'S maximum request is \$2,000,000, and minimum request is \$100,000.
- In this example, OGALS may recommend the grant to NPS for any amount in between the \$100,000 to \$2,000,000 of the APPLICANT'S GRANT REQUEST RANGE.

Purpose and use of the GRANT REQUEST RANGE:

1. The LWCF is a reimbursement-only program, in which the funding sources to "cash-flow" 100% of the TOTAL PROJECT COST must be identified at the time of APPLICATION. Therefore, LWCF provides flexibility for a GRANT REQUEST RANGE because NPS will reimburse as high as 50% and as low as 1% of the TOTAL PROJECT COST (see the RATE OF REIMBURSEMENT explanation below). **The GRANT REQUEST RANGE enables the APPLICANT to communicate the highest desired, and lowest acceptable, amount of funding assistance requested through the APPLICATION.**
2. The APPLICANT'S GRANT REQUEST RANGE also provides flexibility for OGALS to recommend and for NPS to fund projects based not only on the upcoming APPORTIONMENT TO CALIFORNIA, but also based on any UNOBLIGATED FUNDS or STATE REAPPORTIONMENT ACCOUNT funds from previous APPORTIONMENTS TO CALIFORNIA.
3. Submitting an eligible APPLICATION does not guarantee funding even at the APPLICANT'S minimum amount of the GRANT REQUEST RANGE. OGALS cannot predict statewide competition, or the amount of each annual APPORTIONMENT TO CALIFORNIA, or possible UNOBLIGATED FUNDS or STATE REAPPORTIONMENT ACCOUNT funds that may or may not become available each federal fiscal year.
4. OGALS may recommend GRANT funding to NPS for any amount within the GRANT REQUEST RANGE established by the APPLICANT. OGALS will not recommend GRANT funding to NPS for an amount that is less than or exceeds the GRANT REQUEST RANGE established by the APPLICANT.

5. **Establishing a GRANT REQUEST RANGE is voluntary and is not required; however, it is encouraged for this GRANT program.** If an APPLICANT does not want to establish a GRANT REQUEST RANGE, it may leave the “minimum GRANT request” blank on all APPLICATION forms. This approach signifies that the APPLICANT is not willing to accept any amount less than the “maximum GRANT request”.

### **Match Requirement**

- MATCH is no less than 50% of the TOTAL PROJECT COST. In other words, MATCH can range from 50% to 99% of the TOTAL PROJECT COST.
- The LWCF GRANT amount can fund no more than 50% of the TOTAL PROJECT COST. In other words, the LWCF GRANT amount can range from 1% to 50% of the TOTAL PROJECT COST.
- The full GRANT amount is reimbursed when the GRANTEE has shown ELIGIBLE COSTS paid for both the LWCF GRANT amount and the MATCH (TOTAL PROJECT COST).
- “Eligible MATCH sources” is explained on page 34.

### **Rate of Reimbursement and Match Calculation**

The RATE OF REIMBURSEMENT is calculated as the percentage of the LWCF GRANT amount in relation to the TOTAL PROJECT COST established by the APPLICANT at the time of APPLICATION.

For each payment request, OGALS can only reimburse the RATE OF REIMBURSEMENT percentage out of 100% of the ELIGIBLE COSTS listed on a Grant Expenditure Form by the GRANTEE.

### **Common Rate of Reimbursement issues to be aware of:**

1. Once the GRANT is OBLIGATED by NPS, the RATE OF REIMBURSEMENT cannot be changed.
2. The RATE OF REIMBURSEMENT becomes an issue for GRANTEES when the actual final TOTAL PROJECT COST is less than the TOTAL PROJECT COST identified in the APPLICATION.
3. If the actual final TOTAL PROJECT COST is less than the TOTAL PROJECT COST identified in the APPLICATION, the GRANT reimbursement will also be less than the original GRANT amount.
  - For example, if the TOTAL PROJECT COST identified in the APPLICATION is \$2,000,000, and the GRANT amount is \$1,000,000, the RATE OF REIMBURSEMENT is 50%.
  - *If the actual final TOTAL PROJECT COST is \$1,700,000 (instead of the \$2,000,000 estimated at the time of APPLICATION), then 50% of \$1,700,000 will be reimbursed.*



- In other words, the final GRANT amount paid by NPS will be \$850,000, not \$1,000,000, because the actual final TOTAL PROJECT COST is \$1,700,000, not \$2,000,000. While the TOTAL PROJECT COST may change, the RATE OF REIMBURSEMENT cannot be changed.

### **Solutions to avoid these common issues**

**ACQUISITION:** The rate is typically not a problem for ACQUISITION PROJECTS if the purchase price is agreed upon with the land owner at the time of APPLICATION, because the TOTAL PROJECT COST will be known.

**DEVELOPMENT:** For DEVELOPMENT PROJECTS that have not yet gone out to bid, OGALS recommends underestimating the TOTAL PROJECT COST at the time of APPLICATION. Thus, if the actual, the final TOTAL PROJECT COST is more than the “underestimated” TOTAL PROJECT COST established the time of APPLICATION, the full GRANT amount can be reimbursed with the ELIGIBLE COSTS submitted.

### **Rate of Reimbursement and Match Calculation Worksheet**

This technical assistance worksheet is not an APPLICATION form requirement.

**RATE OF REIMBURSEMENT Calculation:** (If a GRANT REQUEST RANGE is established, the formula below is used for any possible GRANT amount within the GRANT REQUEST RANGE divided by the TOTAL PROJECT COST.)

<b>GRANT amount</b>	\$	
<b>Divided by</b>	÷	
<b>TOTAL PROJECT COST</b>	\$	
<b>Equals</b>	=	
<b>RATE OF REIMBURSEMENT</b>		

(0.00 Decimal)

NPS converts this decimal into a percentage, and the percentage is called the RATE OF REIMBURSEMENT. GRANT reimbursements will be calculated using the above decimal, multiplied by the total ELIGIBLE COSTS listed on the Grant Expenditure Form. See the Grant Expenditure Form found in the Grant Administration Guide.

#### **Example:**

GRANT amount requested is \$1,000,000. TOTAL PROJECT COST established at the time of Application is \$3,000,000.

\$1,000,000 divided by \$3,000,000 = .33, meaning the RATE OF REIMBURSEMENT is 33%. In this example, the Total Costs shown on Grant Expenditure Forms for reimbursement payment requests will be multiplied by .33, so 33% of the Total Costs will be reimbursed

until the total GRANT amount is reimbursed at final payment and \$3,000,000 has been accounted. However, if the actual TOTAL PROJECT COST ends up being \$2,800,000, only 33% of \$2,800,000 will ultimately be reimbursed by NPS.

**MATCH Calculation:**

TOTAL PROJECT COST      \$ \_\_\_\_\_

**Subtracted by -**

GRANT amount      \$ \_\_\_\_\_

**Equals =**

MATCH      \$ \_\_\_\_\_

## Eligible Projects - California Outdoor Recreation Plan (CORP) Priorities

The Statewide Comprehensive Outdoor Recreation Plan (called the CALIFORNIA OUTDOOR RECREATION PLAN - "CORP" - in California) is updated every five years to evaluate demand, supply, and priorities to protect existing and create new public outdoor recreation resources. Priorities identified in the CORP drive the PROJECT Selection Criteria through the OPEN PROJECT SELECTION PROCESS.

- At least one of the CORP priorities 1.1 through 3.6 listed below must be met for NPS to approve a PROJECT. However, PROJECTS that address more than one CORP priority can be more COMPETITIVE compared to other state wide APPLICATIONS.
- This Application Guide's OPEN PROJECT SELECTION PROCESS includes the CORP action priorities 1.1 through 3.6 listed below linked with the COMPETITIVE PROJECT Selection Criteria starting on page 52.
- The APPLICANT'S response to the Proposal Description/ Environmental Screening Form (PD/ESF) Step 2.D Question # 10, will also inform NPS how the PROJECT will meet a CORP priority(s). The PD/ESF is explained on page 44.

## Eligible Projects

- ACQUISITION PROJECT
- DEVELOPMENT PROJECT
- The APPLICATION must only be for ACQUISITION or DEVELOPMENT. Combination PROJECTS are not eligible. These ACQUISITION or DEVELOPMENT PROJECTS may include but are not limited to the following examples.

Examples and priorities below are separated by  
ACQUISITION PROJECTS and DEVELOPMENT PROJECTS

### **Acquisition examples:**

- ACQUISITION to create a new PARK
- ACQUISITION to EXPAND or provide a buffer for an existing PARK
- ACQUISITION to provide a wildlife corridor

*ACQUISITION must result in a NEW RECREATION OPPORTUNITY for the public within three years after the completion of the ACQUISITION. Only a phase that creates a fully-useable recreational opportunity must be completed and open to the public within three years after the completion of the ACQUISITION.*

In some cases, the ACQUISITION property may not require DEVELOPMENT at all within three years after the ACQUISITION. Examples include:

- An existing fire or safety road in the ACQUISITION property is in proper condition to be readily useable as a trail or walking pathway.
- EXPANSIONS: The ACQUISITION property is adjacent to an existing PARK, and the purpose of the ACQUISITION is to serve:
  - as a buffer to protect the VIEWSHED of the PARK for current and future generations of PARK visitors. In this case, enjoying the VIEWSHED is a recreation opportunity for the PARK visitors.
  - as a buffer to protect a wildlife corridor for current and future generations, where visitors of the existing PARK come to enjoy watching wildlife.

### Acquisition CORP/LWCF Priorities:

The ACQUISITION must meet at least one of the following priorities:

<b>ACQUISITION to provide or improve access to public PARKS and outdoor recreation resources.</b>	
1.1	ACQUIRE OPEN SPACE that can be readily used for PARK and recreation purposes.
1.2	ACQUISITION where children can connect with the outdoors and engage in active outdoor activities, such as climbing trees, digging, exploring and unstructured play.
1.3	Acquire land in PARK deficient communities or regions with a critical lack of PARK, recreation and OPEN SPACE areas.
1.4	Pursue urban ACQUISITION opportunities close to where people live and work and where current recreation opportunities are inadequate.
1.5	Prevent an outdoor recreation opportunity at immediate risk from being lost to the public if the land is not acquired.
1.6	Pursue ACQUISITION opportunities for OPEN SPACE and public access to water features such as the ocean, lakes, rivers, streams and creeks.
1.7	ACQUISITION to support the priorities pursued by the state's WETLAND preservation organizations.
1.8	ACQUISITION for trails providing safe routes to PARKS from places where people live or work, or trails linking PARKS and other outdoor recreation areas, such as regional trail corridors identified in the California Recreational Trails Plan. ACQUIRE land for trail access and connectivity to RECREATION FEATURES in urban areas.
1.9	ACQUISITION of outdoor recreation areas with important natural resource and scenic values that include the following priorities: <ul style="list-style-type: none"> <li>• link parkland with other protected areas</li> <li>• protecting key watersheds from land conversions</li> <li>• protect relatively large areas of under-protected major habitat types, ecological regions or that have unique biological values, wetland or riparian areas</li> <li>• meet priorities in the California Wildlife Action Plan, joint venture plans, habitat conservation and species recovery plans and other regional habitat protection plans.</li> </ul>
2.0	ACQUISITION of a historic resource that will provide outdoor public recreation.
2.1	ACQUISITION to place California land under new federal 6(f)(3) protection

### Development examples:

DEVELOPMENT of RECREATION FEATURES must be for outdoor recreation, not indoor recreation. LWCF funds are intended to increase outdoor recreational opportunities. These examples are not intended to show a preference from OGALS.

RECREATION FEATURE	MAJOR SUPPORT AMENITY
<ul style="list-style-type: none"> <li>• athletic fields and courts</li> <li>• community gardens</li> <li>• non-motorized neighborhood and regional recreational trails</li> <li>• OPEN SPACE and natural areas</li> <li>• outdoor performing arts venues</li> <li>• picnic areas</li> <li>• play grounds and tot lots</li> <li>• skate PARKS</li> <li>• outdoor swimming pools and aquatic features</li> </ul>	<ul style="list-style-type: none"> <li>• Restroom buildings and parking lots</li> <li>• Additions that enhance the use and appearance of the PARK including landscaping, public art, and safe public use features such as lighting.</li> </ul>

### Development CORP Priorities:

The DEVELOPMENT must meet at least one of the following priorities:

<b>DEVELOPMENT to provide or improve access to public PARKS and outdoor recreation resources.</b>	
2.2	Urban DEVELOPMENT close to where people live and work and where current recreation opportunities are inadequate.
2.3	Provide new kinds of outdoor recreation areas in neighborhoods with high-density housing and worksites, such as “vertical PARKS”, rooftop gardens, or sky PARKS, to create outdoor recreation opportunities in urban centers.
2.4	Increase the number of group picnic areas and camping opportunities to respond to California’s changing demographics and recreation preferences.
2.5	Increase the number of available campsites in popular and emerging camping areas and provide cabins, tent cabins, yurts, or other affordable lodging for PARK visitors who prefer these camping alternatives.
2.6	Provide alternative PARK elements, such as interactive water features, climbing walls, rope features and exercise features.
2.7	Provide opportunities for outdoor adventure and extreme sports experiences.
2.8	DEVELOPMENT of trails providing safe routes to PARKS from places where people live or work, or trails linking PARKS and other outdoor recreation areas, such as regional trail corridors identified in the California Recreational Trails Plan.

<b>DEVELOPMENT to provide linkages and seamless delivery of outdoor recreation opportunities.</b>	
2.9	Create new public trails linking to RECREATION FEATURES in urban areas.
3.0	Complete the missing links of existing regional trails.
3.1	Provide areas where children can connect with the outdoors and engage in active outdoor activities, such as climbing trees, digging, exploring and unstructured play.
3.2	Provide outdoor recreation play equipment that integrates physical activity and stimulates children's imagination.

<b>DEVELOPMENT to protect and manage natural resources</b>	
3.3	Place existing California parkland under new federal 6(f)(3) protection.
3.4	Incorporate sustainability, energy efficiency, and environmental awareness into DEVELOPMENT PROJECTS with recycled, energy efficient and sustainable materials and design.
3.5	Provide more interpretive displays in prominent locations that communicate natural resource efforts.
3.6	<p>Protect or restore outdoor recreation areas with important natural resource and scenic values that include the following priorities:</p> <ul style="list-style-type: none"> <li>a. PROJECTS linking parkland and other protected areas: <ul style="list-style-type: none"> <li>• PROJECTS protecting key watersheds from land conversions.</li> <li>• Properties supporting relatively large areas of under-protected major habitat types, ecological regions or that have unique biological values, wetland or riparian areas.</li> <li>• Conservation priorities in the California Wildlife Action Plan, joint venture plans, habitat conservation and species recovery plans and other regional habitat protection plans.</li> </ul> </li> <li>b. Practice sustainability and reduce recreation impacts.</li> <li>c. Prioritize restoration PROJECTS and identify funding sources for natural systems where overuse and misuse has compromised the area's ecological integrity.</li> </ul>

## Application Deadline

### February 3 of every year

Send two APPLICATION PACKETS (one original wet signature, and one copy) to OGALS postmarked or hand delivered by February 3. If February 3 falls on a weekend, the APPLICATION may be postmarked or hand delivered on the Monday following the February 3 weekend.

- Each PROJECT SITE requires its own APPLICATION PACKET. For the APPLICATION Checklist see page 19.
- Unsuccessful APPLICATIONS from one year can be resubmitted for a subsequent year if the proposed PROJECT is eligible and the requirements explained in this guide are complete.
- Use the APPLICATION Eligibility Card on page 18 to consider key, fundamental LWCF aspects to help you determine if the PROJECT is suitable for the LWCF program.
- Use the APPLICATION Checklist on page 19 to submit a complete APPLICATION by the February 3 deadline.

## Application Process and Timeline

1. Review this guide to understand the COMPETITIVE APPLICATION requirements.
  - Use the Eligibility Card beginning on page 18 as a guide for PROJECT selection preferably one year in advance of the **February 3**. APPLICATION deadline.
2. Review the GRANT ADMINISTRATION GUIDE to understand DPR'S GRANT administration requirements (see 6 below). Review the LWCF POST COMPLETION PARK STEWARDSHIP GUIDE to understand the Federal requirements in PERPETUITY.
3. Send the APPLICATION PACKET to OGALS postmarked or hand delivered by February 3. If February 3 falls on a weekend, the APPLICATION may be postmarked or hand delivered on the Monday following the February 3 weekend.
  - The APPLICATION PACKET section, beginning on page 19, provides directions and forms.
  - APPLICATIONS will not be accepted after the deadline explained above.
4. OGALS will review the APPLICATIONS for four months and will announce its funding recommendations by May 30.
5. Recommended APPLICATIONS will be forwarded to NPS by no later than July.



6. OGALS will issue GRANT CONTRACTS when NPS approves (OBLIGATES) the project for funding. The GRANT ADMINISTRATION GUIDE will then be used by GRANTEES. APPLICANTS become GRANTEES when their CONTRACTS are signed by their AUTHORIZED REPRESENTATIVE and DPR.
  - a. NPS approves (OBLIGATES) the PROJECT for funding when the official APPORTIONMENT TO CALIFORNIA is approved at the federal level. This typically occurs after October.
  - b. The WAIVER OF RETROACTIVITY is an option for urgent PROJECTS since it can take nine months or more after the February 3 application deadline before OGALS can issue the GRANT CONTRACTS. See page 30 for more information.
7. If the GRANT PROJECT is withdrawn after NPS approved (OBLIGATED) the PROJECT, the unspent funds will be reallocated into the STATE REAPPORTIONMENT ACCOUNT following the Reallocation Process below.
8. Unspent GRANT Balances: If the actual final TOTAL PROJECT COST is less than the TOTAL PROJECT COST identified in the APPLICATION, the GRANT reimbursement will also be less than the original GRANT amount. The GRANT reimbursement will be for the “RATE OF REIMBURSEMENT” multiplied by the actual, final, TOTAL PROJECT COST. (See “RATE OF REIMBURSEMENT” rules explained on page 6 of the APPLICATION Guide). The final, unpaid GRANT balance will be reallocated into the STATE REAPPORTIONMENT ACCOUNT following the Reallocation Process described below.

### **Reallocation Process**

Due to the need to improve the State’s timely use of Federal LWCF funds, the following process occurs if a “reason for reallocation” is applicable as explained in the APPLICATION Process above.

1. If a GRANTEE is unable to utilize the funds as explained in 7 or 8 above, the funds will be reallocated by the DPR Director to a complete and ready APPLICATION.
2. Complete and ready APPLICATIONS are those that the DPR Director approves to be immediately forwarded to NPS by OGALS for NPS funding consideration when a reason to reallocate as explained above becomes applicable. These “pipeline” APPLICATIONS are recommended by OGALS through either a previous or current Local Agency COMPETITIVE APPLICATION cycle, or selected by the DPR Director.

### GRANT PERFORMANCE PERIOD

The chart below summarizes the GRANT PERFORMANCE PERIOD and when ELIGIBLE COSTS may be incurred. Also see the ELIGIBLE COSTS Chart on page 68.

When ELIGIBLE COSTS may be incurred	Type of Cost and Situation
1. Up to three years before the APPLICATION is submitted.	PRE-AWARD PROJECT PLANNING COSTS only. See page 28 for guidance.
2. After the APPLICATION is submitted and before NPS OBLIGATES funds to the APPLICATION.	ACQUISITION or DEVELOPMENT if a WAIVER OF RETROACTIVITY is requested at the time of APPLICATION and the WAIVER OF RETROACTIVITY is approved by NPS. See page 30.
3. After NPS OBLIGATES funds to the PROJECT for a three year GRANT PERFORMANCE PERIOD (NPS approval date).	All ELIGIBLE COSTS. See the ELIGIBLE COSTS Chart on page 68.
4. After the GRANT PERFORMANCE PERIOD.	No costs.

- 1-2 above are the only circumstances when costs can be incurred before NPS OBLIGATES the funds, meaning before NPS approves the APPLICATION.
- Costs incurred before NPS OBLIGATES the funds can be eligible for reimbursement if they meet the PRE-AWARD PROJECT PLANNING COSTS or if a WAIVER OF RETROACTIVITY has been approved.
- Costs incurred starting before a CONTRACT is signed by the AUTHORIZED REPRESENTATIVE and DPR, are at the APPLICANT'S own risk. **Submitting an APPLICATION does not guarantee funding in this COMPETITIVE program.**

**Application Eligibility Card**

This technical assistance card is not an APPLICATION requirement.

It covers significant issues that APPLICANTS and GRANTEES must be aware of to succeed in this federal program.

Use the Eligibility Card on the following page to select a COMPETITIVE PROJECT that will meet the APPLICATION, GRANT administration, and POST COMPLETION PARK STEWARDSHIP requirements.

**Select a different PROJECT If one or more answers are “no”.**

**A “no” means the APPLICATION/PROJECT would be ineligible.**

## LWCF Application Eligibility Card

	APPLICATION Requirement	Yes	No
1	<b>CORP:</b> Does the PROJECT meet at least one of the ACQUISITION or DEVELOPMENT CORP action priorities listed beginning on page 11, and did the APPLICANT consider the PROJECT Selection Criteria beginning on page 51?	<input type="checkbox"/> eligible	<input type="checkbox"/> ineligible
2	<b>ACQUISITION PROJECT:</b> Will the APPLICANT become the land owner through the ACQUISITION? Or <b>DEVELOPMENT PROJECT:</b> Is the APPLICANT the land owner at the time of APPLICATION?	<input type="checkbox"/> eligible	<input type="checkbox"/> ineligible
3	<b>6(f)(3) Map and PERPETUITY</b> Will the entire PARK shown on the 6(f)(3) BOUNDARY MAP, using the map checklist on page 39, be protected, operated, and maintained according to the POST COMPLETION PARK STEWARDSHIP GUIDE?  Or, will only a portion of the PARK shown on the 6(f)(3) BOUNDARY MAP be under federal protection, and the justification meets the criteria explained on page 39?	<input type="checkbox"/> eligible	<input type="checkbox"/> ineligible
4	Will the PROJECT Selection Criteria beginning on page 51 (including Step 2D questions 9a & 9b of the PD/ESF) be submitted by the <u>February 3</u> APPLICATION deadline?  And, will the rest of the APPLICATION Checklist items listed on page 19, including Section 106, CEQA, and the NPS Proposal Description/Environmental Screening Form (PD/ESF), be completed by the <u>February 3</u> APPLICATION deadline or <u>no later than April 1</u> ?	<input type="checkbox"/> eligible	<input type="checkbox"/> ineligible
5	The APPLICANT understands the MATCH and RATE OF REIMBURSEMENT explained beginning on page 6, and has funds to “cash-flow” 100% of the PROJECT costs before reimbursement.	<input type="checkbox"/> eligible	<input type="checkbox"/> ineligible
6	PROJECT COMPLETION Date: Will be completed no later than 3 years from the start date of the GRANT PERFORMANCE PERIOD?	<input type="checkbox"/> eligible	<input type="checkbox"/> ineligible

## Application Packet

### Instructions for submittal of the APPLICATION PACKET

- Send two unbound APPLICATION PACKETS: one with original signatures, and one copy.
- Items 1 through 15 below are required for all APPLICATIONS, no matter the PROJECT type.
  - a. Items 16 through 18 are required for ACQUISITION PROJECTS only.
  - b. Items 19 through 20 are required for DEVELOPMENT PROJECTS only.
- Provide APPLICATION PACKET items in the order shown in the Checklist below.
- If a Checklist item is pending, provide a placeholder stating when it will be complete. Exception: Item #15 must be complete by February 3.
- If a Checklist item does not apply, note “N/A” and provide a brief explanation.
- Send only the items shown in the Checklist. Do not send supplementary materials, such as power point presentations, videos, or letters of support.
- Directions and forms for each Checklist item can be found on the following pages.

### APPLICATION PACKET Checklist

#### **All APPLICATIONS (1 through 15 below)**

1. <input type="checkbox"/>	<u>APPLICATION Form</u> .....	Page 20
2. <input type="checkbox"/>	<u>Authorizing Resolution</u> .....	Page 22
3. <input type="checkbox"/>	<u>GRANT SCOPE/Cost Estimate Form</u> .....	Page 24
4. <input type="checkbox"/>	<u>PRE-AWARD PROJECT PLANNING COSTS Form (if applicable)</u> .....	Page 28
5. <input type="checkbox"/>	<u>WAIVER OF RETROACTIVITY Proposal Criteria (if applicable)</u> .....	Page 30
6. <input type="checkbox"/>	<u>Funding Sources Form</u> .....	Page 32
7. <input type="checkbox"/>	<u>6(f)(3) BOUNDARY MAP</u> .....	Page 36
8. <input type="checkbox"/>	<u>Section 106 State Historic Preservation Office Packet</u> .....	Page 40
9. <input type="checkbox"/>	<u>CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Compliance</u> .....	Page 42

10. <input type="checkbox"/>	<u>Proposal Description/Environmental Screening Form (PD/ESF)</u> .....	Page 44
11. <input type="checkbox"/>	<u>PROJECT Location Map</u> .....	Page 49
12. <input type="checkbox"/>	<u>Photos of the PROJECT SITE</u> .....	Page 49
13. <input type="checkbox"/>	<u>LWCF Community Fact Finder Report</u> .....	Page 49
14. <input type="checkbox"/>	<u>PROJECT Summary</u> .....	Page 50
15. <input type="checkbox"/>	<u>PROJECT Selection Criteria</u> .....	Page 51

**ACQUISITION PROJECTS only** (items 16 through 18 below)

16. <input type="checkbox"/>	<u>Public Use Plan</u> .....	Page 63
17. <input type="checkbox"/>	<u>UASFLA “Yellow Book” Appraisal with independent review or Waiver</u> .....	Page 65
18. <input type="checkbox"/>	<u>Purchase Agreement or Other Document Showing Agreed Price</u> .....	Page 67

**DEVELOPMENT PROJECTS only** (items 19 through 20 below)

19. <input type="checkbox"/>	<u>Evidence of Land Ownership</u> .....	Page 67
20. <input type="checkbox"/>	<u>Concept Level Site Plan</u> .....	Page 67

**Application Checklist Item # 1**

**LWCF Program Application Form**

Complete all the information requested on the LWCF Program APPLICATION Form shown on the next page. A fillable LWCF Program APPLICATION Form in either PDF or Word format is found on web site at: [http://www.parks.ca.gov/grants\\_lwcf](http://www.parks.ca.gov/grants_lwcf).

**State of California – The Resources Agency  
Department of Parks and Recreation  
Land and Water Conservation Fund  
Application Form**

PROJECT NAME	TOTAL PROJECT COST      \$ _____	
	Maximum GRANT Request      \$ _____	
	Minimum GRANT Request      \$ _____ (Match will be the difference between the approved grant amount and the above total project cost.)	
PROJECT PHYSICAL ADDRESS (current or future park entrance including zip code)		
	Nearest Cross Street	County of Project
GRANT APPLICANT (entity applying for the GRANT)	GRANT APPLICANT'S Mailing Address	
Project Address Latitude and Longitude	Degrees: Minutes: Seconds:	
AUTHORIZED REPRESENTATIVE AS SHOWN IN RESOLUTION		
_____	_____	_____
Name ( <i>typed or printed</i> ) and Title	Email address	Phone
DAY-TO-DAY CONTACT for ADMINISTRATION of the GRANT ( <i>if different from AUTHORIZED REPRESENTATIVE</i> )		
_____	_____	_____
Name ( <i>typed or printed</i> ) and Title	Email address	Phone
For ACQUISITION:  Total land acquired will be _____ acres.  Total acreage to be placed under 6(f)(3) Protection shown on the BOUNDARY MAP will be _____ acres:	For DEVELOPMENT:  Total acreage to be placed under 6(f)(3) Protection shown on the BOUNDARY MAP will be _____ acres:	
GRANT SCOPE: I represent and warrant that this APPLICATION PACKET describes the intended use of the requested GRANT to complete the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the attached GRANT SCOPE/Cost Estimate Form. I agree with the APPLICATION and procedural requirements described in the Application Guide. I declare under penalty of perjury, under the laws of the State of California, that the information contained in this APPLICATION PACKET, including required attachments, is accurate.		
_____		_____
Signature AUTHORIZED REPRESENTATIVE as shown in Resolution		Date
Print Name _____		
Title: _____		

**Application Checklist Item # 2****Authorizing Resolution**

1. Fill in the blanks on the Resolution as appropriate. Ensure it is approved by your governing body. Use the same PROJECT name that appears on the APPLICATION Form.
2. The Resolution template may be reformatted. However, modifying the language may delay APPLICATION approval if the changes require DPR's legal office review or subsequent revisions.
3. Provision #4: Identify a position and/or designated positions instead of a person's name.
  - The “designated position” will be responsible for signing all APPLICATION documents. The APPLICATION Form, GRANT SCOPE/Cost Estimate Form, Funding Sources Form, and CEQA Compliance Certification Form “AUTHORIZED REPRESENTATIVE” signature lines must be signed by the same “designated position” identified on the Authorizing Resolution – Provision #4.
  - If the AUTHORIZED REPRESENTATIVE will have another person (designee) sign a form on their behalf, include a letter or other memo from the AUTHORIZED REPRESENTATIVE that identifies the designee’s position.



Resolution No. \_\_\_\_\_  
**RESOLUTION OF THE (APPLICANT's Governing Body)**  
**APPROVING THE APPLICATION FOR LAND**  
**AND WATER CONSERVATION FUND**  
 \_\_\_\_\_ **PROJECT**

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a federal Land and Water Conservation Fund Grant-In-Aid program, providing Matching funds to the State of California and its political subdivisions for acquiring lands and developing Facilities for public outdoor recreation purposes; and

WHEREAS, the California Department of Parks and Recreation is responsible for administration of the program in the State, setting up necessary rules and procedures governing APPLICATIONS by local agencies under the program; and

WHEREAS, the APPLICANT certifies by resolution the approval of the APPLICATION and the availability of eligible MATCHING funds prior to submission of the APPLICATION to the State; and

NOW, THEREFORE, BE IT RESOLVED that the \_\_\_\_\_ (Governing Body) hereby:

1. Approves the filing of an APPLICATION for Land and Water Conservation Fund assistance for the proposed; \_\_\_\_\_ (Project Name)
2. Agrees to abide by SECTION 6(F)(3) of Public Law 88-578 which states "No property acquired or developed with assistance under this section shall, without the approval of the National Secretary of the Interior, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location."
3. Certifies that said agency has MATCHING funds from eligible source(s) and can finance 100 percent of the Project, which up to half may be reimbursed; and
4. Appoints the \_\_\_\_\_ (AUTHORIZED REPRESENTATIVE Designated Position Title) as agent of the APPLICANT to conduct all negotiations and execute and submit all documents, including, but not limited to, APPLICATIONS, CONTRACTS, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned PROJECT.

Approved and Adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by \_\_\_\_\_ following a roll call vote:

(APPLICANT's Governing Body)

Ayes

Noes

Absent

\_\_\_\_\_  
(Clerk)

### **Application Checklist Item # 3**

#### **Grant Scope/Cost Estimate Form**

The GRANT SCOPE/Cost Estimate Form on page 27 has two uses:

- I. Establishing the GRANT SCOPE.
- II. Providing a Cost Estimate.

#### **1. Establishing the Grant Scope:**

This form will be used to establish the expected GRANT deliverables for PROJECT COMPLETION. To be eligible for GRANT payment, the RECREATION FEATURES and MAJOR SUPPORT AMENITIES that will be paid for by the GRANT must be included on the GRANT SCOPE/Cost Estimate Form.

Use the form to list only the RECREATION FEATURES and MAJOR SUPPORT AMENITIES that will be completed before the end of the GRANT PERFORMANCE PERIOD. All of the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed on the form must be completed before a final GRANT payment can be approved.

See page 12 for examples of RECREATION FEATURES and MAJOR SUPPORT AMENITIES.

#### **Directions for establishing the Grant Scope:**

Use one of the following phrases to list the type of work for each RECREATION FEATURE and MAJOR SUPPORT AMENITY that will be funded by the GRANT:

- “Acquire approximately...”(provide the number of acres that will be acquired as the RECREATION FEATURE). See the definition of ACQUISITION on page 72
- “Construct a new...” (RECREATION FEATURE or MAJOR SUPPORT AMENITY)  
Definition: to build a new RECREATION FEATURE or MAJOR SUPPORT AMENITY that did not previously exist.
- “Renovate or improve an existing ...” (RECREATION FEATURE)  
See the definition of RENOVATION on page 76.

List the RECREATION FEATURES in the GRANT SCOPE/Cost Estimate Form:

- a) List the ACQUISITION, construction, or RENOVATION or improvement of a RECREATION FEATURE in the GRANT SCOPE/Cost Estimate Form regardless of its estimated cost at the time of APPLICATION.

**Do NOT include MINOR SUPPORT AMENITIES in the GRANT SCOPE/Cost Estimate Form.**

**Fold the cost of a MINOR SUPPORT AMENITY into the cost of its related RECREATION FEATURE.**

- Example: GRANT SCOPE is the “construction of a new playground”. The GRANTEE will have the flexibility to construct or not construct a MINOR SUPPORT AMENITY for the playground such as a bench, a sign, and a drinking fountain. The costs of a MINOR SUPPORT AMENITY will be accepted as part of the construction of the new playground. The construction of the new playground is the expected GRANT SCOPE deliverable for PROJECT COMPLETION.

List the MAJOR SUPPORT AMENITIES (a or b below) in the GRANT SCOPE/Cost Estimate Form:

- List the construction of a new parking lot, restroom building, or other non-recreational facility on the GRANT SCOPE/Cost Estimate Form.
- Include a stand-alone item of work to improve the appearance or use of the general PROJECT SITE on the GRANT SCOPE/Cost Estimate Form only if its estimated cost, by itself, at the time of APPLICATION is \$50,000 or greater.

Include all MAJOR SUPPORT AMENITIES as stand-alone items of work, such as the construction of a new or RENOVATION of a parking lot, restroom building, or other non-recreational facility.

Examples of how (b) would be included in the GRANT SCOPE/Cost Estimate Form:

- “Landscaping for the general PROJECT SITE” (would be an expected GRANT deliverable only if the landscaping as a stand-alone item of work is estimated at \$50,000 or more).
- “A light fixture for the general PROJECT SITE” (would be an expected GRANT deliverable only if the light fixture is estimated at \$50,000 or more).
- If an estimated cost of an example above is less than \$50,000, it is a MINOR SUPPORT AMENITY, and would be excluded on the GRANT SCOPE/Cost Estimate Form as an expected GRANT deliverable. Instead, the cost would be folded into its related RECREATION FEATURE. The \$50,000 level is based on the estimated cost for each stand-alone MINOR SUPPORT AMENITY and is not based on a cumulative cost of multiple MINOR SUPPORT AMENITIES.

As a reminder, see the reason for not including MINOR SUPPORT AMENITIES explained in the box above.

## **2. Providing a concept level cost estimate on the Grant Scope/Cost Estimate Form**

- Use the form on page 27 to provide the concept level estimated cost for each RECREATION FEATURE and MAJOR SUPPORT AMENITY described in the GRANT SCOPE/Cost Estimate Form.
- As a reminder, do not list MINOR SUPPORT AMENITIES. The cost of MINOR SUPPORT AMENITIES can be included in the construction cost of their related RECREATION FEATURE.
- The estimated TOTAL PROJECT COST on the GRANT SCOPE/Cost Estimate Form must equal the estimated TOTAL PROJECT COST listed on the Application Form.
- If the estimated costs change after the APPLICATION is approved by NPS during the course of the PROJECT, a revised GRANT SCOPE/Cost Estimate Form is not required.

CONSTRUCTION COSTS should include allowance for Americans with Disabilities Act of 1990 (42 U.S.C. §12101 et.seq.)

Each RECREATION FEATURE and MAJOR SUPPORT AMENITY listed in the GRANT SCOPE, and their related paths of travel from parking lots and roadsides, must be designed to accommodate persons with disabilities.

## Grant Scope/Cost Estimate Form

Follow the directions starting on page 24.

<b>GRANT SCOPE Items:</b>  ACQUISITIONS: List each parcel number, acreage, estimated date of purchase, cost. If multiple parcels are to be acquired, list this information for each separate parcel.  DEVELOPMENT: List each RECREATION FEATURE and MAJOR SUPPORT AMENITY	<b>Estimated Cost</b>
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
<b>Total Estimated Cost for the RECREATION FEATURES and MAJOR SUPPORT AMENITIES</b>	\$
<b>Total PRE-AWARD PROJECT PLANNING COSTS</b> (from the attached Pre-Award Project Planning Costs Form)	\$
<b>TOTAL PROJECT COST</b>	\$
<b>Maximum GRANT Request</b>	\$
<b>Minimum GRANT Request</b>	\$

The APPLICANT understands that this form will be used to establish the expected GRANT deliverables that must be completed before final GRANT payment is processed as specified in the "GRANT Process - End of GRANT PERFORMANCE PERIOD" section found in the GRANT ADMINISTRATION GUIDE. See the ELIGIBLE COSTS charts starting on page 68 before creating a cost estimate. The APPLICANT also understands that the remaining portion of the estimated TOTAL PROJECT COST not funded by a LWCF grant is the required MATCH.

\_\_\_\_\_  
APPLICANT'S AUTHORIZED REPRESENTATIVE Signature

\_\_\_\_\_  
Date

**Application Checklist Item # 4****Pre-Award Project Planning Costs Form**

NPS recognizes the need for and allows PRE-AWARD PROJECT PLANNING COSTS incurred up to three years before the APPLICATION is submitted to OGALS or approved by NPS.

If the APPLICATION is approved by NPS, the PRE-AWARD PROJECT PLANNING COSTS incurred within three years before the APPLICATION was submitted to OGALS become ELIGIBLE COSTS.

PRE-AWARD PROJECT PLANNING COSTS for DEVELOPMENT projects per the NPS LWCF State Assistance Manual:

“Therefore, for DEVELOPMENT PROJECTS the costs of site investigation and selection, site planning, feasibility studies, preliminary design, environmental review, preparation of cost estimates, construction drawings and specifications, and similar items necessary for PROJECT preparation may be eligible for assistance, although incurred prior to PROJECT approval.”

PRE-AWARD PROJECT PLANNING COSTS for ACQUISITION PROJECTS per the NPS LWCF State Assistance Manual:

“Similar costs may be allowable for ACQUISITION PROJECTS except those relating to appraisals, surveys, and other incidental costs to the purchaser that are precluded by the LWCF Act.”

**Unlike State grant programs administered by OGALS, this federally funded program does not have a 25% cap of the GRANT amount on PRE-AWARD PROJECT PLANNING COSTS.**

### Pre-Award Project Planning Costs Form

Note: a-e below are required information OGALS needs to report to NPS.

PRE-AWARD PROJECT PLANNING COSTS	Span of Months and Year Costs Were or Will Be Incurred	Estimated Cost
<b>ACQUISITIONS:</b> List the costs of site investigation and selection, site planning, feasibility studies, CEQA/NEPA environmental review, Section 106, and the PD/ESF Form.		
<b>DEVELOPMENT:</b> List the costs of site investigation and selection, site planning, feasibility studies, preliminary design, CEQA/NEPA environmental review, Section 106, and the PD/ESF Form, preparation of cost estimates, construction drawings and specifications, and similar items necessary for PROJECT preparation.		
a. Administrative and legal expenses		\$
b. Relocation expenses and payments (for ACQUISITION)		\$
c. Architectural and engineering fees (for DEVELOPMENT)		\$
d. CEQA/NEPA environmental review costs		\$
e. Section 106 preparation costs		\$
		\$
		\$
		\$
<b>Total Estimated Cost for PRE-AWARD PROJECT PLANNING COSTS:</b>		\$

The APPLICANT understands that this form will be used to establish eligible PROJECT planning costs that were incurred within the past three years or will be incurred before the National Park Service approves the PROJECT. The APPLICANT understands that no other costs except for eligible PRE-AWARD PROJECT PLANNING COSTS can be incurred prior to National Park Service approval of the PROJECT, unless NPS approved a WAIVER OF RETROACTIVITY. See the ELIGIBLE COSTS charts starting on page 68 before creating a cost estimate.

\_\_\_\_\_  
APPLICANT'S AUTHORIZED REPRESENTATIVE Signature

\_\_\_\_\_  
Date

## **Application Checklist Item # 5**

WAIVER OF RETROACTIVITY is defined on page 77.

### **Requesting a Waiver of Retroactivity:**

NPS will consider a request for a WAIVER OF RETROACTIVITY only when:

1. Immediate action is necessary, and:
2. The time required for OGALS and NPS to process an APPLICATION, OBLIGATE the funds, and issue a CONTRACT, would result in a loss of a significant opportunity.

The WAIVER OF RETROACTIVITY is not limited to PRE-AWARD PROJECT PLANNING COSTS, because the waiver, if approved, can cover all ELIGIBLE COSTS including the actual ACQUISITION or DEVELOPMENT. **The request for a WAIVER OF RETROACTIVITY must be received by OGALS and approved by NPS before the costs are incurred.** If the costs are incurred before the WAIVER OF RETROACTIVITY is approved by NPS, the WAIVER OF RETROACTIVITY request will be rejected by NPS and the costs will never become eligible.

### **To request a Waiver of Retroactivity:**

1. Include a letter in the APPLICATION PACKET following the directions on the next page.
2. OGALS may forward the requested WAIVER OF RETROACTIVITY (letter) to the NPS by early March (approximately four weeks after the February 3 APPLICATION deadline).
  - If APPLICATION PACKETS contain significant technical issues showing a lack of readiness such as incomplete Section 106, CEQA, etc., OGALS may not forward the requested WAIVER OF RETROACTIVITY letter to NPS, until the technical issues are completed.
3. NPS will provide a decision to OGALS as soon as possible. OGALS will immediately inform the APPLICANT of NPS' decision.
4. **Do not incur ACQUISITION or DEVELOPMENT costs before the WAIVER OF RETROACTIVITY is approved by NPS.**
5. If NPS approves the WAIVER OF RETROACTIVITY, the APPLICANT may proceed with the ACQUISITION or DEVELOPMENT and the costs will become eligible for reimbursement and MATCH if the APPLICATION is later approved by NPS and the APPLICANT becomes a GRANTEE.

Granting a WAIVER OF RETROACTIVITY is only NPS' acknowledgement of the need for immediate action; and it does not imply nor assure NPS approval of the PROJECT. The retroactive costs are incurred at the APPLICANT's risk.



### **Waiver of Retroactivity Letter**

The letter must be included in the APPLICATION Packet as APPLICATION Checklist Item #5.

- Use the APPLICANT'S letterhead.
- Address the letter to the Chief, Office of Grants and Local Services.
- Must be signed by the AUTHORIZED REPRESENTATIVE.
- Provide the following information:

For an ACQUISITION PROJECT:

Describe the resources to be acquired, the public outdoor recreation uses proposed for the site, and the necessity to immediately acquire land prior to NPS approval of the APPLICATION as justification for the WAIVER OF RETROACTIVITY.

Justification may include but is not limited to the land being sold on the open market that could be purchased by private developers for non-park purposes, an option purchase agreement with limited time, appraisal value fluctuations which could lead to changing costs, or expiring MATCHING funds.

For a DEVELOPMENT PROJECT:

Describe the planned DEVELOPMENT, the public outdoor recreation uses proposed for the site, and the necessity to immediately DEVELOP an area prior to NPS approval of the APPLICATION as justification for the WAIVER OF RETROACTIVITY.

Justification may include but is not limited to permitting time strain, losing a construction bid, potential for construction costs to increase, expiring MATCHING funds, or nesting seasons.

For DEVELOPMENT, attach a PD/ESF and the proposal must qualify for a federal Categorical Exclusion number under NEPA in Step 7 of the PD/ESF.

- For All Applications:  
Conclude the letter with the following statement:  
"The \_\_\_\_\_(name of APPLICANT) understands that if NPS approves this WAIVER OF RETROACTIVITY request, it is only NPS' acknowledgement of the need for immediate action; and it does not imply nor assure that NPS approves the PROJECT and will award the GRANT. The \_\_\_\_\_(name of APPLICANT) understands that the retroactive costs are incurred at our risk."

**Application Checklist Item # 6****Funding Sources Form**

- Use the Funding Source Form to identify each funding source.
- Note if the source is state, local city or county, federal, or private.
- Provide a date for each funding source showing when it was committed to the PROJECT. A date shown as “To Be Determined (TBD)” will be considered incomplete. See the definition for COMMITTED FUNDS for additional information.
- Identify if the source will be used as MATCH or will be reimbursed by the LWCF GRANT.
- **When identifying what source(s) will be reimbursed by the LWCF GRANT, use the highest amount of the GRANT REQUEST RANGE.**
- See page 34 for Eligible MATCH Sources and Calculation.
- If the funding sources change (including MATCH) during the course of the PROJECT, a revised form is not required. However, the funding sources must still be eligible as explained on page 34.
- The TOTAL PROJECT COST listed at the bottom of this form must equal the estimated TOTAL PROJECT COST listed on the APPLICATION Form and at the bottom of the GRANT SCOPE/Cost Estimate form.
- A fillable LWCF Funding Sources Form in either PDF or Word format is found on web site at: [http://www.parks.ca.gov/grants\\_lwcf](http://www.parks.ca.gov/grants_lwcf)

### Funding Sources Form

The Applicant must be able to "cash-flow" 100% of the project without LWCF. Check the boxes below to identify funding source(s) to be used as Match and which source will be reimbursed by the LWCF GRANT Request.

<b>Funding Source</b> (Identify all "cash-flow" sources and which will be reimbursed by LWCF)	<b>Date Committed</b>	<b>Amount</b>
<input type="checkbox"/> LWCF <input type="checkbox"/> Match		
<input type="checkbox"/> LWCF <input type="checkbox"/> Match		
<input type="checkbox"/> LWCF <input type="checkbox"/> Match		
<input type="checkbox"/> LWCF <input type="checkbox"/> Match		
<input type="checkbox"/> LWCF <input type="checkbox"/> Match		
<input type="checkbox"/> LWCF <input type="checkbox"/> Match		
<input type="checkbox"/> LWCF <input type="checkbox"/> Match		
<b>Grand Total All Funding Sources</b> <b>(Estimated Total Project Cost)</b>		

The Applicant understands that the Project cannot be funded unless the total amount of Committed Funds equals the estimated Total Project Cost. **The Applicant understands the definition of Committed Funds and** the Applicant certifies that they have eligible Match sources and can "cash-flow" 100 percent of the Project, which will be partially reimbursed at the Rate of Reimbursement.

\_\_\_\_\_  
Applicant's Authorized Representative Signature

\_\_\_\_\_  
Date

## Eligible Match Sources and Calculation

### Other Federal Funds

- Most other Federal funds are not eligible to be used for LWCF MATCH.
- A federal GRANT program must have statutory language included that allows it to be used as MATCH for LWCF.
- Examples of the MATCH allowed for LWCF from federal funds include Community Development Block Grants (CDBG) and Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP 21) Recreational Trail Program funds.

### State or local government funds and private source funds:

State, local, and private sources are eligible for LWCF MATCH. Examples are the State Habitat Conservation Fund, local government general funds, and donations from private businesses, organizations or individuals.

MATCH may include, but are not limited to the following:

- Funds from state local assistance programs
- GRANTEE'S employee labor
- Local or private funds
- Gifts of real property, equipment, and consumable supplies
- Volunteer services directly related to PROJECT completion furnished by professional and technical personnel, consultants, and other skilled and unskilled labor
- Free or reduced-cost use of land, facilities, or equipment
- Bequests and income from wills, estates, and trusts.

MATCH is subject to the same ELIGIBLE COST requirements as the GRANT.

For ACQUISITION PROJECTS, donated real property used as all or part of the MATCHING share must meet UASFLA requirements and must be acquired during the GRANT PERFORMANCE PERIOD.

Donations required by law or regulation are not eligible for MATCH. The donated land cannot have any restrictions that might limit its intended public recreation use.

Specific information for how to value and account for IN-KIND funds and/or donations used as MATCH are covered in the NPS LWCF State Assistance Manual in Chapter 5.B.2.a-h starting on page 5-5. The in-kind funds and/or donations used as MATCH cannot have any restrictions that might limit its intended public recreation use.

### **Calculating the value of donations used as Match:**

Specific procedures for placing the value of contributions from private organizations and individuals are in the Office of Management and Budget (OMB) Circular A-102, 43 CFR 12:

- Volunteer Services
  - Rates for volunteers, which can be professional and technical personnel, consultants, and other skilled and unskilled labor, should be consistent with the regular rates paid for similar work in the labor market in which the APPLICANT competes for the kind of services involved.
  - Records for volunteer services from personnel shall include timesheets containing the signatures of the person whose time is donated and of the supervisor verifying the record is accurate. The pay rate has to be what the employee is normally paid and must exclude fringe benefits and overhead cost.
- Materials
  - Prices assessed to donated materials should be reasonable and should not exceed current market prices at the time they are charged to the PROJECT.
  - A record needs to be kept showing the fair market value by listing comparable prices and vendors.
- Real Property (Acquisition Only)
  - If an ACQUISITION involves multiple parcels, and one or more parcels are donated, the donated parcel's value can be used as MATCH. Value of donated real property shall be established by an independent appraiser in accord with the UNIFORM APPRAISAL STANDARDS FOR FEDERAL LAND ACQUISITIONS (UASFLA). See page 65 for information on appraisals and UASFLA.
- Equipment
  - The hourly rate for donated equipment used on a PROJECT shall not exceed its fair rental rate.
  - Records of equipment use shall include the schedules showing the hours and dates of use and the signature of the operator of the equipment.

## Application Checklist Item # 7

### 6(f)(3) Boundary Map Checklist

Provide a 6(f)(3) BOUNDARY MAP no larger than 11x17". Provide the following required information on the 6(f)(3) BOUNDARY MAP:

NOTE: By January 2014, [www.parks.ca.gov/grants\\_lwcf](http://www.parks.ca.gov/grants_lwcf) will feature a web-based tool to make these maps.

1. ☐ **Title of Map:** Use the following title formula at the top of the 6(f)(3) BOUNDARY MAP:  
 "LWCF Section 6(f)(3) Boundary Map for \_\_\_\_\_ (name of PARK), \_\_\_\_\_ (name of APPLICANT), LWCF project number \_\_\_\_\_ (number provided by OGALS if APPLICATION is successful), in the County of \_\_\_\_\_ (county of project location)"
2. ☐ **6(f)(3) Boundary:** Show the boundary of land placed under 6(f)(3) protection. **Use red as the color indicator to show this boundary.** Choose a scale to use and show it on the 6(f)(3) BOUNDARY MAP as one inch = (scale length chosen) for maps for areas of larger size. Or, provide the linear feet measure alongside each boundary line. The entire PARK must be placed under 6(f)(3) protection.
  - To propose an exemption from placing the entire PARK within the 6(f)(3) BOUNDARY MAP, attach the information explained on page 39. Instructions for requesting a reduced 6(f)(3) boundary area follow the sample Section 6(f)(3) BOUNDARY MAP on page 38.
3. ☐ **Assessor Parcel Numbers:** Show the Assessor Parcel Number(s) and the acreage for each parcel within the red 6(f)(3) BOUNDARY MAP. **Use a black dash-line (- - -) to show/divide the separate parcels**, if applicable. The Assessor Parcel Number(s) and the acreage for each parcel can be listed on a separate page with a number key when there are so many that it is difficult to show them on the 6(f)(3) BOUNDARY MAP. In this case, simply show the number key on the 6(f)(3) BOUNDARY MAP for the approximate location of the parcels. When no Assessor Parcel Number(s) exist for the property, use whatever identifier there is (if any) with the acreage and explain on a separate page.
4. ☐ **Other rights and interest:** Show the boundary of each right and interest in the land such as easements, right of way, lease agreements, deed/lease restrictions, reversionary interest, etc. - **using purple font**. Provide a list on a separate page if so detailed that the rights and interests cannot be adequately shown on the 6(f)(3) BOUNDARY MAP. Attach an explanation about the purpose of each right and interest.
5. ☐ **Current existing indoor structures:** Show location and boundary (footprint) of existing indoor structures. Provide the square footage of the structure. Attach an explanation of what the building is used for, and if applicable, future plans for its use, such as expansions.

6. ☐ **Proposed new indoor structures:** Show proposed location and boundary (footprint) of proposed new indoor structures. Label it as “proposed”. Provide the square footage of the proposed new structure. Note that NPS has numerous requirements for proposing the construction of a new or EXPANDED indoor facility within the 6(f)(3) BOUNDARY MAP and approval of indoor facilities is not guaranteed. It is a good idea to check the general plan for the PARK for future plans.
7. ☐ **Streets:** Show and label (provide the street names on the map) the adjoining streets surrounding the PARK. Use black font.
8. ☐ **Entry Points into the PARK:** If the PARK is gated, fenced, or is a wilderness PARK, show the specific entry points for pedestrians and vehicles. Use black font and label the “entry point”. If the entire PARK boundary is considered an entry point for pedestrians, provide this statement on the map.
9. ☐ **North arrow:** Provide a North arrow pointing to the North relative to the map layout. Use black font.

### **Bottom of Map**

10. ☐ **Identify the total acreage within the proposed 6(f)(3) BOUNDARY MAP** (within the red boundary) per item 2 above. This acreage will be placed under Federal protection and subject to the POST COMPLETION PARK STEWARDSHIP requirements. The acreage total must be consistent with the total PARK acreage identified on the APPLICATION Form.
11. ☐ **Date of map preparation:** Provide the date the map was developed.
12. ☐ **Signature Blocks: Provide the following signature blocks on the map:** The position identified in the APPLICANT’S Authorizing Resolution must sign and date the map at the time of APPLICATION.

\_\_\_\_\_  
(Name of APPLICANT Agency) AUTHORIZED REPRESENTATIVE

\_\_\_\_\_  
Date

\_\_\_\_\_  
CA Dept. of Parks and Recreation

\_\_\_\_\_  
Date

\_\_\_\_\_  
National Park Service

\_\_\_\_\_  
Date

13. ☐ **Certification Language -** The following language must be included under the signature blocks: This map is not binding until it is signed by NPS when the final GRANT payment is approved by NPS. If there was a previous LWCF PROJECT(S) completed at the same PARK SITE, then the GRANTEE, OGALS, and NPS will review the Section 6(f)(3) BOUNDARY MAPS associated with the previous PROJECT(S) for consistency with the Section 6(f)(3) BOUNDARY MAP for the new LWCF PROJECT.

Note: Authority cited: Section 5099.10 Public Resources Code. Reference: Sections 5099-5099.12, Public Resources Code, Public Law 88-578, 16 U.S.C. 460I – 6(f)(3)



LWCF Section 6(f)(3) Boundary Map for (Name of Park), (Name of Applicant), (LWCF Project Number),<sup>1</sup>  
in the County of (County of Project Location)



1 inch = 666.7 feet<sup>2</sup>

Map prepared on September 25, 2013<sup>11</sup>

- Boundary of land to be protected 212.8 acres
- Other rights/interest boundary
- Parcel boundary
- Entry point
- Existing indoor structure
- Proposed new indoor structure

This map is not binding until it is signed by NPS when the final GRANT payment is approved by NPS.<sup>13</sup>  
If there was a previous LWCF project(s) completed at the same park site, then the GRANTEE, OGALS, and NPS will review the Section 6(f)(3) BOUNDARY MAPS associated with the previous project(s) for consistency with the Section 6(f)(3) BOUNDARY MAP for the new LWCF project.

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(name of Applicant Agency) Authorized Representative	Date
CA Dept of Parks and Recreation	Date
National Park Service	Date



### **Requesting a Reduced Area 6(f)(3) Boundary Map for a Lesser Unit**

- The area to be included within the 6(f)(3) BOUNDARY MAP will be the entire PARK, OPEN SPACE, or recreation area except in unusual cases where it can be shown a LESSER UNIT is clearly a self-sustaining public outdoor recreation resource.
- A LESSER UNIT will be considered only when there is a larger PARK where logical management units exist that result in smaller self-sustaining public outdoor recreation areas.
- To be a logical management unit and self-sustaining means the smaller area stands-alone for its operation and maintenance and does not rely on the larger PARK for access to it.
- NPS makes the final determination for whether a LESSER UNIT can be used for the 6(f)(3) BOUNDARY MAP.

Examples of smaller units of a larger PARK that could have a 6(f)(3) BOUNDARY MAP that does not include the entire PARK that could be approved by NPS:

- A subunit of a large regional PARK that has its own name, access and assigned PARK staff.
- A subunit of a PARK that is operated and maintained by a concessionaire separately from the rest of the PARK and still has its own public access not dependent on the larger PARK.
- A subunit of a larger PARK that is geographically separate from the larger PARK with no connectivity to the larger PARK and still has its own public access not dependent on the larger PARK.

#### Source:

NPS LWCF State Assistance Manual, effective October 1, 2008, in Chapter 6.B.5 on page 6-4 found on the NPS web site at: <http://www.nps.gov/lwcf/manual/lwcf.pdf>

### **Process to request a Lesser Unit, which can only can be used for a new 6(f)(3) Boundary Map:**

1. Provide a copy of the proposed 6(f)(3) BOUNDARY MAP showing the boundary of the LESSER UNIT. The 6(f)(3) BOUNDARY MAP must include entry for the public to get to the lesser unit.
2. Provide a map of the entire PARK showing the location of the LESSER UNIT.
3. Explain how the LESSER UNIT is clearly a self-sustaining public outdoor recreation resource. For example, NPS approved a 6(f)(3) BOUNDARY MAP with a LESSER UNIT for a large regional PARK that has separately named sub-units which are not contiguous with each other. These sub-units are also separated by a six lane highway, private businesses and residences with no linkage other than public roads.

4. Explain how the LESSER UNIT is a logical management unit. This would be shown by describing how its operation and maintenance is separate from the larger PARK and how it does not rely on the larger PARK for its entry.
5. Explain why the entire PARK should not or cannot be placed under 6(f)(3) protection. If a viable reason cannot be given, it is likely that NPS will require the entire PARK to be covered by the 6(f)(3) BOUNDARY MAP.

### **Application Checklist Item # 8**

#### **Section 106 Instructions**

#### **National Historic Preservation Act of 1966**

Plan accordingly to complete Section 106 by the February 3 APPLICATION deadline or no later than April 1.

The APPLICANT must complete the above process to document that 36 CFR 800, Executive Order 11593 and Section 106 of the National Historic Preservation Act of 1966, as amended, has been met. Section 106 documentation cannot be older than five years from the date submitted to the State Historic Preservation Office (SHPO) for approval.

- For ACQUISITION PROJECTS: The scope of the Section 106 review shall include the lands to be acquired. It must not include a future construction PROJECT because the LWCF PROJECT is ACQUISITION - only.
- For DEVELOPMENT PROJECTS: The scope of the Section 106 review shall include the construction as described in the APPLICATION.

#### **SHPO Section 106 Package**

Send the entire SHPO Section 106 package described below to the OGALS LWCF Supervisor – DO NOT SEND TO THE SHPO.

The “SHPO Section 106 Package” includes items 1 through 3 below.

To complete items 1-3 below, follow the “Section 106 Instructions” posted at [www.parks.ca.gov/grants\\_lwcf](http://www.parks.ca.gov/grants_lwcf).

The APPLICANT will complete steps 1-4 below:

1. Obtain Information Center Recommendation through the California Historical Resource Information System. If the area has already been excavated at the same or a deeper level, note this. [www.ohp.parks.ca.gov](http://www.ohp.parks.ca.gov)

2. Obtain Native American Consultation. If the area has already been excavated at the same or a deeper level, note this. Native American Consultation often takes 3-4 months. [www.nahc.ca.gov](http://www.nahc.ca.gov)
3. Following steps 1-2, write a Cover Letter from the APPLICANT addressed to the SHPO Summarizing Compliance with Section 106.
4. Send 1-3 above as a "SHPO Section 106 Package" to the OGALS LWCF Supervisor.
5. The OGALS LWCF Supervisor will make a copy and send 1-3 above to SHPO.

**Previous agencies have found it efficient to work on Section 106 concurrently with CEQA and the NEPA federal environmental analysis (PD/ESF) explained beginning on page 44.**

Section 106 should be completed early in the project planning process, and must be completed before any ground disturbance/construction.

## Application Checklist Item # 9

### CEQA Compliance

Plan accordingly to complete CEQA by the February 3 APPLICATION deadline or no later than April 1.

- For ACQUISITION PROJECTS: The scope of the environmental review shall include the lands to be acquired. Including a future construction PROJECT is not required because the LWCF PROJECT is ACQUISITION - only.
  - A. For DEVELOPMENT PROJECTS: The scope of the environmental review shall include the construction as described in the APPLICATION. File the applicable CEQA documents (1,2, or 3 below) with the State Clearinghouse (Governor's Office of Planning and Research) [http://opr.ca.gov/s\\_cegadocumentsubmission.php](http://opr.ca.gov/s_cegadocumentsubmission.php).
  - B. Provide two copies of the appropriate document(s) listed below in the APPLICATION. You can send the appropriate document(s) on two CDs in Word or pdf format if too large to send paper copies:
    1. A Notice of Exemption filed with, and stamped by, the county clerk and with the response from the State Clearinghouse (Governor's Office of Planning and Research), **or**
    2. An Initial Study with a Negative Declaration, with the response from the State Clearinghouse (Governor's Office of Planning and Research), and a copy of the Notice of Determination filed with, and stamped by the county clerk, **or**
    3. An Initial Study and an Environmental Impact Report, with the response from the State Clearinghouse (Governor's Office of Planning and Research), and a copy of the Notice of Determination filed with, and stamped by the county clerk.

Also, see, Steps 5, 6 and 7 of the Proposal Description/Environmental Screening Form (PD/ESF) explained beginning on page 44. Steps 5, 6 and 7 may be completed at the same time as the CEQA analysis.

"CEQA" is the California Environmental Quality Act as stated in the Public Resources Code §21000 et seq.; Title 14 California Code of Regulations §15000 et seq. CEQA is a law establishing policies and procedures that require entities to identify, disclose to decision makers and the public, and attempt to lessen significant impacts to environmental and historical resources that may occur as a result of an entity's proposed PROJECT. For more information see <http://ceres.ca.gov/ceqa>.

**CEQA Compliance Certification Form**

APPLICANT/GRANTEE: \_\_\_\_\_ PROJECT Name: \_\_\_\_\_

PROJECT Address: \_\_\_\_\_

**When was CEQA analysis completed for this PROJECT? Date:****What documents were filed for this PROJECT'S CEQA analysis: (check all that apply)**

- ☐ Initial Study    ☐ Notice of Exemption    ☐ Negative Declaration
- ☐ Mitigated Negative Declaration    ☐ Environmental Impact Report
- ☐ Other \_\_\_\_\_

**Please attach all checked documents.****If these forms were not completed please attach a letter from the Lead Agency explaining why, certifying the PROJECT has complied with CEQA and noting the date that the PROJECT was approved by the Lead Agency.****Lead Agency Contact Information:**

Agency Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

**Certification:**

I hereby certify that the Lead Agency listed above has determined that it has complied with the California Environmental Quality Act (CEQA) for the PROJECT identified above and that the PROJECT is described in adequate and sufficient detail to allow the PROJECT'S construction or ACQUISITION.

I certify that the CEQA analysis for this PROJECT encompasses all aspects of the work to be completed with GRANT funds.

\_\_\_\_\_  
 AUTHORIZED REPRESENTATIVE    Date  
 (Signature)

\_\_\_\_\_  
 AUTHORIZED REPRESENTATIVE  
 (Printed Name and Title)

## **Application Checklist Item # 10**

### **Proposal Description/ Environmental Screening Form (PD/ESF)**

Plan accordingly to complete the PD/ESF by the February 3 APPLICATION deadline or no later than April 1.

The PD/ESF is a federal form designed by NPS for use as a tool during PROJECT scoping, planning, and proposal DEVELOPMENT, especially to document environmental information and consider the LWCF proposal's possible environmental impacts. The ESF portion serves as part of the federal administrative record required by NEPA.

**The PD/ESF in Word format is found on the NPS web site at:**

<http://www.nps.gov/ncrc/programs/lwcf/pub.htm>

Steps and guidance to complete the PD/ESF are provided below. The "Steps" below correlate with the "Step" sections of the PD/ESF.

#### Steps to complete the PD/ESF:

These steps are required by NPS for APPLICATIONS only. Skip steps 2.C and 3-4 of the PD/ESF, because step 2.C is for a combination PROJECT (not used in California) and steps 3-4 are not for APPLICATIONS.

- ☐ Cover Page
- ☐ Step 1 Type of LWCF Proposal
- ☐ Step 2.A For an ACQUISITION PROJECT
- ☐ Step 2.B For a DEVELOPMENT PROJECT
- ☐ Step 2.D Additional Items to Address for a New APPLICATION
- ☐ Step 5 Summary of Previous Environmental Review
- ☐ Step 6 Environmental Screening Form (ESF)
  - ☐ Part A Environmental Resources
  - ☐ Part B Mandatory Criteria
- ☐ Step 7 Recommended National Environmental Policy Act (NEPA) Pathway and State Appraisal/Waiver Valuation

## Tips for Completing the PD/ESF for a New Application:

### General

- Use the PD/ESF form itself or be sure to number the questions being answered if you use a different format for the answers. A fillable version of the PD/ESF in Word format is found on the NPS web site at: <http://www.nps.gov/ncrc/programs/lwcf/pub.htm>.
- Any question answered with “Not Applicable (N/A)” must include the reason why it is N/A.
- If you mean to answer a question with “No” or “None”, use these words instead of N/A.
- If a question is answered in another part of the APPLICATION, you can reference that it is answered with the specific page number given.
- Answer all parts of a question, otherwise your PD/ESF will be considered incomplete.
- The PD/ESF is a federal form and uses specific federal language and abbreviations without definitions given in the form. Some commonly asked questions involve the following terms:
  - Project Sponsor means the APPLICANT or GRANTEE.
  - SLO/ASLO means the State Liaison Officer/Alternate State Liaison Officer.
  - SF-424 Application for Federal Assistance is a federal form that OGALS completes.
  - CE # is the federal Categorical Exclusion number and not the CEQA Categorical Exemption number.

### Cover Page

- Leave all the boxes blank.
- Contact your PROJECT OFFICER to find out the prior LWCF PROJECT numbers for the same PARK, if there are any previously completed LWCF PROJECTS that were located in the same PARK.
- Complete all the contact information requested. The “Local or State Sponsor” is the APPLICANT.

### Step 1

- Check the box for a “New PROJECT APPLICATION.”
- Check the box for either “ACQUISITION” or “DEVELOPMENT” as applicable.

### Step 2A – Answer the following for an ACQUISITION APPLICATION only:

- Question # 1: Include any existing structures when you describe the property to be purchased.

- Question # 3: Refer to the Public Use Plan explained on page 63 to answer. Include the plan for how any existing structures will be used.
- Question # 4: Refers to the box titled “State Appraisal/ Waiver Valuation Review” in Step 7. This is completed by OGALS and signed by the SLO/ASLO. For OGALS to complete this, you need to provide the appraisal and its independent appraiser’s certification that the appraisal meets the UNIFORM APPRAISAL STANDARDS FOR FEDERAL LAND ACQUISITIONS (UASFLA) or the required documentation for a waiver valuation.

Step 2B – Answer the following questions for a DEVELOPMENT APPLICATION only:

- Question # 1: Describe the proposed GRANT SCOPE with more detail as asked, such as what will be new DEVELOPMENT, RENOVATION and/or replacement of existing facilities. Include a complete description for any PRE-AWARD PROJECT PLANNING COSTS and reference the PRE-AWARD PROJECT PLANNING COSTS form found in your APPLICATION. See page 28 for the PRE-AWARD PROJECT PLANNING COSTS.
- Question # 1: Refer to the Section 6(f)(3) BOUNDARY MAP and Concept Level Site Plan by giving the APPLICATION pages to answer the questions.

Skip Step 2C because combination APPLICATIONS are not used in California.

Step 2D -

- Question # 1: Answer “Yes” if there was a completed LWCF PROJECT at the same PARK, unless the proposed PROJECT will be located on an area of the PARK acquired after the previous LWCF PROJECT was completed.
- Question # 5: Include all easements or rights-of-way, such as for utilities and street widening, if these fall within the Section 6(f)(3) BOUNDARY MAP. Reversionary interests mean those parts of a deed that go back to control by another or original owner if something stated in the deed is not met. For example, a deed might require that the property be used for a public PARK when the property was sold or given to a public entity and have a clause that the property would revert to the owner or heirs if it is no longer a public PARK.
- Question # 6: This question asks if overhead utility lines are present and if yes, asks that you understand their easements must be shown on the 6(f)(3) BOUNDARY MAP.
- Question # 8: Any existing or future non-recreation facilities should be described and also shown with their square footage on the Section 6(f)(3) BOUNDARY MAP.
- Question # 9.a: Describe the public comment periods and Section 106 Native American tribal consultation done. All parts of the question need to be answered.
- Question # 9.b: Provide copies of any responses the APPLICANT made to public comments received during the CEQA process.



- Question # 10: See the CORP priority actions listed starting on page 11. Describe how the PROJECT will meet at least one of the CORP priorities. Be specific in your description and include how you will know the CORP priorities will be met by the PROJECT.
- Question # 11: Refer to the Funding Sources Form by giving the APPLICATION pages to answer. See page 32 for the Funding Sources Form.
- Question # 12: If the proposal is a smaller part/phase of a larger PROJECT, describe the larger PROJECT, how much it will cost and who is funding it.

Skip steps 3-4 of the PD/ESF because steps 3-4 are not for APPLICATIONS.

#### Step 5

- For All Questions: Answer based on the CEQA completed for the PROJECT proposal.
- Question # 6: Check “Yes” in both places. In California, the Intergovernmental Review Process is the 30-day public review with the State Clearinghouse (SCH) in the Governor’s Office of Planning and Research. The Notice of Exemption or Notice of Determination is required to be submitted to the SCH as part of the CEQA documentation for LWCF.
- Question # 9: This question is specifically looking to find out if the proposal had already gone through a NEPA review.

#### Step 6A

- Check a box with the appropriate impact level for each environmental resource with the mitigation measures identified in the CEQA considered. That is, you do not start from scratch when considering the impact level. Select the impact level referring to the mitigated impact on the environmental resource by the proposal.
- Environmental resources with the “Not Applicable” box checked must have a reason why the impact is not applicable. APPLICANTS often make the mistake of checking the “Not Applicable” box, when the “No/Negligible Impacts” is actually the box that is relevant.
  - The “No/Negligible Impacts” is typically the relevant box instead of “Not Applicable” because NPS considers most environmental resources listed as applicable to every LWCF proposal with very few exceptions.
  - As an example, even if the proposal itself does not impact socioeconomics (# 19) or minority and low-income populations (# 20), NPS will not accept “Not Applicable” being checked for these. Instead, you need to check “No/Negligible Impacts.”
- All environmental resources that have “Negligible”, “Minor” or “Impacts Exceed Minor” need to be explained and refer to where the analysis can be found in the CEQA documents. For each impacted resource, provide a brief explanation of how the resource might be affected, how the impact level was determined, and

why the chosen impact level is appropriate. Briefly describe the mitigation for each impact if there are proposed actions to mitigate the impact in the CEQA documents. Use separate sheets for the explanations clearly identified with the environmental resource number and name per the chart.

- If you answer “Impacts Exceed Minor” or “More Data Needed to Determine Degree of Impact” for any of the environmental resources, you must develop an Environmental Assessment (EA) or Environmental Impact Statement (EIS). Contact your PROJECT OFFICER for further assistance.

#### Step 6B

- Answer each question with “Yes”, “No” or “To Be Determined” with the mitigation measures identified in the CEQA considered.
- Explain all “Yes” and “To Be Determined” answers on a separate sheet with the mandatory criteria number and question clearly identified.
- If you answer “Yes” or “To Be Determined” for any of the mandatory criteria, you must develop an Environmental Assessment (EA) or Environmental Impact Statement (EIS) regardless of your answers in Step 6.A. Contact your PROJECT OFFICER for further assistance.

#### Step 7

- You can select a federal Categorical Exclusion number (CE #) appropriate to your proposal from the lists following Step 7. The federal CE # is not the CEQA Categorical Exemption number.
- A federal CE # can be selected only when Step 6A and 6B both indicate that the proposal will not result in more than minor impacts on resources (see Steps 6A and 6B).
- If a federal CE # cannot be selected, then you must develop an Environmental Assessment (EA) or Environmental Impact Statement (EIS) to include with the PD/ESF. Contact your PROJECT OFFICER for further assistance.
- NPS will review the PD/ESF and CEQA documentation and will sign its own CE form signifying the proposal is categorically excluded from further NEPA analysis, per the NPS LWCF State Assistance Manual in Chapter 4.B.6.a on page 4-6.
- The APPLICANT does not sign the PD/ESF. The OGALS Chief will sign the PD/ESF as the Alternate State Liaison Officer (ASLO).

### **Application Checklist Item # 11**

#### **Project Location Map(s)**

- Provide a map showing highway and street access to the PROJECT SITE.  
Provide directions from the nearest major highway to the PROJECT SITE so that a person not familiar with the area can locate it.

### **Application Checklist Item # 12**

#### **Photos of the Project Site**

- Provide up to four 8 ½" x 11" sheets filled with photos of the PROJECT SITE and its surrounding area.
- Provide a very brief description of what is in each of the photos. Adding the direction of the view noted with each photo as "looking north, south, east, or west" is helpful to orientate someone not familiar with the site. Use a point of reference for the direction of the view, such as "from the center of the PROJECT site or "from the corner of X and Y Streets."

### **Application Checklist Item # 13**

#### **LWCF Community Fact Finder Report**

Provide a LWCF Community Fact Finder Report following these directions:

1. Go to <http://www.parkinfo.org/lwcf/lwcf.html>.
2. Enter the PROJECT address.
3. Locate the push-pin with the needle point in the PARK or on the PARK'S boundary.
4. Select a 25 mile (for county-wide regional PARKS), 2 mile (for city-wide/community PARKS), or ½ mile (for neighborhood PARKS) radius consistent with the type of PARK identified in the PROJECT Summary, and PROJECT Selection Criteria #4 and #5.
5. Select "Create Report" after you chose a starting point of the radius with the push-pin needle point in the PARK or on the PARK'S boundary.
6. Print the Report for this APPLICATION Checklist item. The statistics shown on the Report must be the same for PROJECT Selection Criteria #4 and #5. Only one Report will be accepted per APPLICATION for PROJECT Selection Criteria #4 and #5

**Project Summary** (The summary is not scored)

1. Identify and explain what type of PARK this requested GRANT will help create, EXPAND, or improve, using the "Type of PARK " chart below as a guide.

Use the following headings to format the PROJECT summary (one page maximum):

**Type of PARK:** \_\_\_\_\_ (identify one of the three PARK types below)

**Type of PARK Explanation:** (use the "Type of PARK" chart below as a general guide to explain which of the PARK categories below best fits this proposed PROJECT SITE).

<b>Type of PARK</b>
<p><b>County-wide/Regional PARK or wildlife area:</b>  A large PARK that is generally 100 acres or more, and generally operated by a county agency or a regional PARK district with the primary goal of serving a county-wide population.  <i>A 25 mile radius will be used for PROJECT Selection Criteria #4 and #5 and the LWCF Community Fact Finder Report (APPLICATION Checklist item # 13)</i></p>
<p><b>City-wide/Community PARK:</b>  A PARK that is generally more than 5 acres, and generally operated by a city agency or a local PARK district with the primary goal of serving a city-wide population.  <i>A 2 mile radius will be used for PROJECT Selection Criteria #4 and #5 and the LWCF Community Fact Finder (APPLICATION Checklist item # 13)</i></p>
<p><b>Neighborhood/pocket PARK:</b>  A PARK that is generally 5 acres or less, and generally operated by a city agency or a local PARK district with the primary goal of serving residents living within walking distance.  <i>A 1/2 mile radius will be used for PROJECT Selection Criteria #4 and #5 and the LWCF Community Fact Finder (APPLICATION Checklist item # 13)</i></p>

2. Use the following chart format to cite and explain (approximately 25 words per citation) which CORP and LWCF priorities listed starting on page 50 will be met by this ACQUISITION OR DEVELOPMENT PROJECT.

<b>CORP/LWCF priority citation</b>	<b>Explanation about how the ACQUISITION OR DEVELOPMENT meets this cited priority</b>

### Application Checklist Item # 15

#### Project Selection Criteria

Structure the responses to follow the same numbered and lettered order of the PROJECT Selection Criteria below:

#### Project Selection Criteria

Point Value	Project Selection Criteria Title
20	1. Unmet Need
10	2. Type of PROJECT
15	3. New Acreage placed under 6(f)(3) protection
10	4. Population Density
20	5. Underserved Population
10	6. Public Input
15	7. PROJECT Readiness
Eligibility Requirement	8. APPLICANT Capacity
Total Points: 100	

## 1. Unmet Need

Describe the need for the ACQUISITION or DEVELOPMENT by answering either A through B for ACQUISITION or C through D for DEVELOPMENT: A-B below is for ACQUISITION only and C-D is for DEVELOPMENT only.

A high priority PROJECT will address more than one of the CORP priorities starting on page 11 for ACQUISITION and on page 12 for DEVELOPMENT PROJECTS.

**ACQUISITION: Respond to A and B below only if ACQUISITION** (three pages or less)

- A.** Was this land on the open-market before the purchase agreement was entered into, or was/is there any evidence or threat that it could be available for non-PARK DEVELOPMENT within the next two years?

See WAIVER OF RETROACTIVITY on page 30 if the ACQUISITION is urgent.

- B.** Why is this ACQUISITION a high priority PROJECT to serve the current and future generations of the region, city-wide public, or neighborhood residents (based on the type of PARK and the CORP/LWCF priorities described in the PROJECT summary)?

*The scale below shows that 20 points will be given to high priority ACQUISITIONS.*

<b>20-15</b>	This ACQUISITION is a <u>high priority</u> compared to other statewide APPLICATIONS.
<b>14-10</b>	This ACQUISITION is an above average priority compared to other statewide APPLICATIONS.
<b>9-1</b>	There was/is no threat that the land could be acquired for non-PARK DEVELOPMENT within the next two years. Or, this is not a high or above average priority opportunity compared to other statewide ACQUISITIONS.
<b>0</b>	No response

**DEVELOPMENT: Respond to C and D below only if DEVELOPMENT** (three pages or less)

- C.** Why is this DEVELOPMENT a high priority PROJECT to serve the region, city-wide public, or neighborhood residents (based on the type of PARK and the CORP/LWCF priorities described in the PROJECT summary)?
- D.** If this proposed DEVELOPMENT is not completed in the next five years, what effect will the continued lack of this proposed recreational opportunity(s) have on the region, city-wide public, or neighborhood residents?

*The scale below shows that 20 points will be given to high priority DEVELOPMENT.*

<b>20-15</b>	This DEVELOPMENT is a <u>high priority</u> compared to other statewide APPLICATIONS.
<b>14-10</b>	This DEVELOPMENT is an above average priority compared to other statewide APPLICATIONS.
<b>9-1</b>	There is no significant effect on the region, city-wide public, or neighborhood residents if this opportunity(s) will be unavailable over the next five years compared to other proposed statewide DEVELOPMENTS. The PROJECT SITE is an existing functional PARK with adequate RECREATION FEATURES.
<b>0</b>	No response

**Note:**

**The following references CORP and LWCF priorities for ACQUISITION or DEVELOPMENT.**

ACQUISITION: 1.1 through 2.1 starting on page 11.

DEVELOPMENT: 2.2 through 3.6 starting on page 12.

## 2. Type of Project

Use the following format to identify the type of PROJECT by checking the appropriate field below based on what will be accomplished with the GRANT and MATCH.

Type of PROJECT	Check appropriate field	Points
ACQUISITION to create a NEW PARK	<input type="checkbox"/>	10
DEVELOPMENT to create a NEW PARK	<input type="checkbox"/>	8
ACQUISITION to EXPAND an existing PARK	<input type="checkbox"/>	6
DEVELOPMENT to improve an existing PARK	<input type="checkbox"/>	4

*A maximum of 10 points will be given to ACQUISITION projects for the creation of a NEW PARK.*



### 3. New acreage placed under 6(f)(3) protection

**Technical assistance is available on page 49.**

Provide information about PARK acreage to be placed under 6(f)(3) protection that is not currently under 6(f) (3) protection, if the GRANT is awarded by using the chart below:

- For an ACQUISITION that will EXPAND an existing PARK, the APPLICANT can include the PARK acreage of the existing PARK, in addition to the proposed ACQUISITION of that parcel(s), only if the existing PARK is not under 6(f)(3) protection.

**PARK acreage already under federal 6(f)(3) protection will not be considered in this criterion (meaning do not report or count the number of protected acres as part of the response).**

Type of PROJECT	Parcel Number(s) shown on 6(f)(3) BOUNDARY MAP	Number of acres to be placed under <u>new</u> 6(f)(3) protection shown on the 6(f)(3) BOUNDARY MAP
ACQUISITION to create a new PARK		
ACQUISITION to EXPAND an existing PARK (can include existing PARK'S acreage only if it is not already under 6(f)(3) protection.)		
DEVELOPMENT to create a new PARK		
DEVELOPMENT to improve an existing PARK (can include existing PARK'S acreage only if it is not already under 6(f)(3) protection.)		

*The scale below shows that 10 points will be given to APPLICATIONS proposing to place new acreage under 6(f)(3) protection that is not currently already under 6(f) (3) protection.*

#### **Points**

<b>10</b>	The PARK will include new acreage
<b>0</b>	The entire PARK is already under 6(f)(3) protection, or no information provided

*The scale below shows that up to 5 points will be given to all statewide APPLICATIONS, regardless of the type-of-PARK, proposing to place the most number of PARK acres under 6(f)(3) protection that are not currently already under 6(f)(3) protection.*

**Points**

<b>5</b>	Highest 30% on the ranked statewide list of all combined park categories/all statewide applications.
<b>3</b>	From 31% to 70% on the ranked list of all combined park categories.
<b>1</b>	From 71% to 100% on the ranked list of all combined park categories.
<b>0</b>	The entire PARK is already under 6(f)(3) protection, or no information provided.

Note: CORP priorities 2.1 and 3.3 emphasize placing land under federal 6(f)(3) protection.

#### 4. Population Density

**LWCF Fact Finder Technical assistance is available on page 49.**

Use the LWCF Fact Finder to identify the total population within the radius based on the type of PARK as shown below: While the radius starting point can be located anywhere within the PARK, the push-pin starting the radius must be located in or at least on the PARK boundary. (The push-pin starting point cannot be outside the PARK boundary).

Type of PARK	Fact Finder Population – Based on Type of PARK’s Radius
<b>County-wide/Regional PARK or wildlife area</b> (use the 25 mile radius)	
<b>City-wide/Community PARK</b> (use the 2 mile radius)	
<b>Neighborhood/pocket PARK</b> (use the 1/2 mile radius)	

*The scale below shows that up to 10 points will be given to PROJECTS having the highest population within the 25, 2, or ½ mile radius compared with all statewide APPLICATIONS ranked within one of the three COMPETITIVE statewide lists based on the type of PARK identified through the PROJECT Summary.*

<b>10</b>	Highest 30% on the ranked list within the same PARK category
<b>6</b>	From 31% to 70% on the ranked list
<b>3</b>	From 71% to 100% on the ranked list
<b>0</b>	No information provided

Note: CORP priorities 1.4 and 2.2 focus on ACQUISITION or DEVELOPMENT in urban areas.

## 5. Underserved Population

**LWCF Fact Finder Technical assistance is available on page 49.**

Provide information about the UNDERSERVED POPULATION within the type of PARK'S radius by answering A and B below. In A below, the per capita income from the same LWCF Fact Finder Report used for PROJECT Selection Criteria #4 will be cited in the chart below. In B below, explain how the PROJECT will benefit seniors, at risk youth, or people with disabilities.

### **Per Capita Income**

**A.** Use the following chart to structure the response for A below, citing the LWCF Fact Finder Report:

<b>Type of PARK Consistent with PROJECT Summary and Criteria #4</b>	<b>Per Capita Income</b>
Regional PARK or Wildlife Area – use the 25 mile radius	
City PARK – use the 2 mile radius	
Neighborhood/Pocket PARK – use the 1/2 mile radius	

*The scale below shows that up to 10 points will be given to PROJECTS in areas having the lowest per capita income compared with all statewide APPLICATIONS ranked within one of the three COMPETITIVE statewide lists based on the type of PARK identified through the PROJECT Summary.*

<b>10</b>	Lowest 30% on the ranked list within the same type of PARK category
<b>6</b>	From 31%-70% on the ranked list
<b>3</b>	From 71%-100% on the ranked list
<b>0</b>	No information provided

**PROJECT benefits for seniors, at risk youth, or people with disabilities.**

**B.** Explain how the PROJECT will benefit seniors, at risk youth, or people with disabilities. Use the following chart to structure the response for B below. If the PROJECT is ACQUISITION, and the specific facility DEVELOPMENT plans are pending, explain how members of the UNDERSERVED POPULATION will be involved in the DEVELOPMENT plans.

<b>UNDERSERVED POPULATION</b>	<b>PROJECT Benefit(s) for this group (up to approximately 75 words per group)</b>
Seniors	
At Risk Youth	
Persons with Disability	

*The scale below shows that 10 points will be given to PROJECTS that benefit all three groups.*

<b>10</b>	Seniors, at risk youth, and persons with disabilities will benefit
<b>6</b>	Two of the three groups will benefit
<b>3</b>	One of the three groups will benefit
<b>0</b>	No information provided

## 6. Public Input

The response to Step 2D questions # 9a #9b of the PD/ESF explained on page 45 describes the public input process for this PROJECT.

A response is not needed in this Project Selection Criteria section:

OGALS will review the PD/ESF response to step 2D Questions # 9a and # 9b explained on page 45 to determine if the public input process included all steps required by NPS.

*The scale below shows that a maximum of 10 points will be given to APPLICANTS that incorporated a public input process that included all steps required by NPS in the PD/ESF.*

<b>10</b>	The APPLICANT'S public input process described in the PD/ESF addresses all steps required by NPS.
<b>0</b>	The APPLICANT'S public input process described in the PD/ESF does not address all steps required by NPS. The APPLICATION will not be considered ready for NPS OBLIGATION if the public input process occurred more than five years ago, or otherwise does not meet the steps required by NPS through the PD/ESF.

## 7. Project Readiness

Complete the following ACQUISITION or DEVELOPMENT chart to identify PROJECT readiness based on the GRANT request.

*The scales below show that a maximum of 10 points will be given to ACQUISITION and DEVELOPMENT PROJECTS that are ready to proceed.*

### ACQUISITION

Milestone	If completed, provide Month/Year	Points for completion	If not yet completed, provide future Month/Year
"Yellow Book" UNIFORM APPRAISAL STANDARDS FOR FEDERAL LAND ACQUISITIONS (UASFLA)		5	
Purchase Agreement between land owner and APPLICANT		5	

### DEVELOPMENT

Milestone	If completed, provide Month/Year	Points for completion	If not yet completed, provide future Month/Year
Schematic/concept level		2	
Engineer Cost Estimate for further design DEVELOPMENT.		2	
Construction documents		2	
Construction permits		2	
Bid package prepared or employee services for construction has been determined		2	

*The scale below shows that a maximum of 5 points will be given to ACQUISITION PROJECTS of land that can be readily used by the public for PARK and recreation purposes without the need for construction.*

5	The ACQUISITION is ready as described above <u>and</u> the Public Use Plan (as requested on page 63) explains that the land will be "readily available" for PARK and recreation purposes <u>without the need for construction</u> .
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Note: CORP priority 1.1 focuses on ACQUISITION of land that is readily available for PARK and recreation purposes.

## 8. Applicant's Eligibility

Describe the APPLICANT'S eligibility by answering the following questions.

**Answer A below for local agencies that have administered a GRANT with OGALS since the 2000 Bond Act (Prop. 12), 2002 Bond Act (Prop. 40), 2006 Bond Act (Prop. 84), Recreational Trails Program, Habitat Conservation Fund or Land and Water Conservation Fund.**

- A. Are any of the ineligibility criteria listed below applicable? (If there is a reason to believe the ineligibility criteria listed below are applicable, contact your OGALS PROJECT OFFICER for confirmation before applying.)

**Answer B below for APPLICANTS that have not administered a GRANT with OGALS.**

- B. What are the APPLICANT'S most recent successes from any funding source? List recent federal, state, and/or local ACQUISITION or DEVELOPMENT GRANTS successfully administered by the APPLICANT for ACQUISITION or DEVELOPMENT. Provide up to five examples that include the date of completion, funding amount, scope, and funding source.

*No points will be given to A or B above. However, if any of the ineligibility criteria described below are applicable, the APPLICATION cannot be recommended to NPS.*

### **Ineligibility Criteria:**

*A LWCF GRANT cannot be recommended to NPS under the following circumstances.*

- APPLICANT is involved with an unresolved "conversion" as described in the LWCF POST-COMPLETION PARK STEWARDSHIP GUIDE.
- APPLICANT has a recent track record of failing to complete or otherwise comply with GRANT and PROJECT operation/maintenance requirements of GRANT-funded sites administered by OGALS.
- APPLICANT has no track record of administering an OGALS GRANT, and, also has no track record of successfully administering an ACQUISITION or DEVELOPMENT GRANT PROJECT with other funding sources.



## **Acquisition Projects Only**

### **Application Checklist Item # 16**

#### **Public Use Plan**

Provide the following information after considering the information below.

1. Describe each existing building on the ACQUISITION parcel(s) and the planned use for the buildings. If the buildings will not be demolished to create a PARK/OPEN SPACE, the structures and the proposed use for them have to be described in the PD/ESF Step 2.A Question # 1 and Question # 3. For the PD/ESF, see APPLICATION Checklist Item # 10 or go to the NPS website at: <http://www.nps.gov/ncrc/programs/lwcf/pub.htm>.
  - The intent of this LWCF program is to provide outdoor public recreation.
  - NPS will not approve an ACQUISITION if the majority of the land includes a building(s) that will not be demolished to create a PARK or OPEN SPACE.
  - Consultation with OGALS regarding the eligibility of the structure for ACQUISITION assistance is encouraged prior to APPLICATION submission.
2. Explain if the ACQUISITION parcel(s) will require DEVELOPMENT to make the parcel(s) useable by the public. If DEVELOPMENT is not necessary given the reasons below, or other reasons, provide an explanation.
3. If DEVELOPMENT is necessary, provide the following:
  - a. Description (up to one page) of the DEVELOPMENT necessary to make the parcels useable.
  - b. Estimated cost of the DEVELOPMENT.
  - c. Funding source(s) to cover the estimated cost of the DEVELOPMENT.
  - d. DEVELOPMENT timeline starting with the ACQUISITION completion date, and ending with the date the parcels will become useable by the public.

#### **Consider the following guidance for ACQUISITION:**

*ACQUISITION must result in a NEW RECREATIONAL OPPORTUNITY for the public within three years after the completion of the ACQUISITION. Only a phase that creates a fully-useable recreational opportunity must be completed and open to the public within three years after the completion of the ACQUISITION.*

In some cases, the ACQUISITION property may not require DEVELOPMENT at all. Examples include:

- An existing fire or safety road in the ACQUISITION property is in proper condition to be readily useable as a trail or walking pathway.

EXPANSIONS: The ACQUISITION property is adjacent to an existing PARK, and the purpose of the ACQUISITION is to serve:

- As a buffer to protect the VIEWSHED of the PARK for future generations of park visitors. In this case, enjoying the VIEWSHED is a NEW RECREATION OPPORTUNITY for the PARK visitors.
- As a buffer to protect a wildlife corridor for future generations where visitors of the existing PARK come to enjoy watching wildlife.

ACQUISITION can be by fee simple title or by lesser rights as long as the APPLICANT will be able to enforce the Section 6(f)(3) BOUNDARY MAP provisions. ACQUISITIONS of interests of less than fee simple, including leasehold interests, are not eligible unless such lesser rights will ensure public access and use for in PERPETUITY per Section 6(f)(3). Examples of lesser rights include permanent recreation use easements or similar devices.

ACQUISITION can be made through purchase, eminent domain, transfer or by gift.

#### Timber management or grazing land ACQUISITION

ACQUISITION of properties with natural resources management practices, such as timber management or grazing, may be funded with LWCF assistance if they are clearly described in the PROJECT description for PD/ESF Step 2.A Question # 1, are compatible with and secondary to the proposed public outdoor recreation uses, and are approved by NPS.

#### For profit agriculture or preserves

For profit agriculture business is not permitted on acquired lands assisted with LWCF funding. NPS will not fund ACQUISITIONS of land that will be used for an agricultural preserve.

#### Rights held by other parties to the property

Reservations and rights held by others are permissible only if the public outdoor recreation use would not be affected. These must be identified on the Section 6(f)(3) BOUNDARY MAP. They must be described in the proposal narrative for PD/ESF Step 2.A Question # 1. They must be addressed in the environmental information in the PD/ESF for any potential impacts to the human environment including outdoor recreation, and if the reservations and rights are exercised.

**ACQUISITIONS that will not be approved by NPS are explained below. This list is not inclusive and NPS has the final approval of any ACQUISITION:**

- Historic sites and structures, except when it can be demonstrated clearly that the ACQUISITION is primarily for public outdoor recreation purposes and the historic aspects are secondary or complimentary to the primary purpose of providing outdoor recreation.
- Museums and sites to be used for museums or primarily for archeological excavations.
- Areas and facilities designed to be used primarily by a specific group and professional arts and athletics, and *will not be used by the general public.*

- Areas and facilities to be used exclusively for game refuges or fish production purposes, and are not compatible to outdoor recreation.
- Areas to be used mainly for construction of indoor facilities.
- Areas with existing indoor recreational or non-recreational facilities or buildings that if left in place, will not leave enough space for public outdoor recreation.
- Sites containing luxury lodges, hotels, motels, restaurants and similar elaborate facilities that are to be operated by the APPLICANT or a concessionaire to provide food or sleeping quarters.
- Federal surplus property.

Source: NPS LWCF State Assistance Manual in Chapter 3.B on pages 3-4 through 3-7 found on the NPS web site at: <http://www.nps.gov/lwcf/manual/lwcf.pdf>.

### **Application Checklist Item # 17**

#### **Appraisal and Independent Review/ Waiver Valuation**

(For ACQUISITION PROJECTS only)

LWCF ACQUISITIONS must have for each parcel to be acquired either:

- One appraisal by a qualified appraiser with independent appraiser's review certifying that it meets the "Yellow Book" UNIFORM APPRAISAL STANDARDS FOR FEDERAL LAND ACQUISITIONS (UASFLA) (A below), or
- Documentation for the value using the waiver valuation method when the estimated property value is less than \$10,000 (B below)
  - A. Provide a copy of the appraisal for each parcel to be acquired and a copy of the independent appraiser's review certifying that the appraisal complies with the UASFLA also known as the "Yellow Book".
  - B. Or, provide a copy of the documentation for the purchase price that is determined for a waiver valuation in the case of property which is less than \$10,000.
- See below for requirements for the appraisal, independent appraiser's review or waiver valuation.

ACQUISITION PROJECTS are bound by federal law relating to the valuation of real estate because this is a federal funding source. This is why A above is required.

**It is critical to select an appraiser familiar with UASFLA ("Yellow Book") to do your appraisal and its independent appraiser's review.**

- Uniform Standards of Professional Appraisal Practice (USPAP) compliance alone will not result in UASFLA compliance.

UASFLA federal standards are considered "Supplemental Standards" to the Uniform Standards of Professional Appraisal Practice (USPAP). See the NPS LWCF State Assistance

Manual in Chapter 4.D.7.c.(1) on page 4-19 for further information about the difference between appraisals conducted according to UASFLA or USPAP.

For the purpose of the UASFLA compliance, any appraisal report, whether identified by the appraiser as a self-contained report or a summary report, will be considered as meeting UASFLA requirements for a self-contained report if it has been prepared in accordance with the UASFLA.

The UASFLA 2000 edition published by the Appraisal Institute in cooperation with the U.S. Department of Justice is found on-line at:

<http://www.justice.gov/enrd/land-ack/Uniform-Appraisal-Standards.pdf>

The fair market value (A above) or the waiver value (B above) will be used as the basic measure for LWCF funding assistance for ACQUISITIONS. This applies for fee simple ACQUISITIONS, determining the amount eligible for MATCH, determining the value of ACQUISITIONS by donation for MATCH, and ACQUISITIONS of less-than-fee interests.

For property to be acquired by eminent domain, the price determined by the court will be accepted by NPS.

#### Waiver Valuation

An appraisal is unnecessary if the valuation is uncomplicated and the estimated value for the property to be acquired is under \$10,000. OGALS may waive the appraisal and instead require a waiver valuation per 49 CFR 24.102(c)(2)(ii). The waiver valuation cap can be raised up to \$25,000 if the APPLICANT offers the property owner the option to have an appraisal, and the owner elects to have the APPLICANT prepare a waiver valuation instead.

The person preparing the waiver valuation must have sufficient understanding of the local real estate market to be qualified, and shall not have any interest, direct or indirect, in the real property being valued for compensation.

Further guidance for waiver valuations can be found on Federal Highway Administration's web site

at: [http://www.fhwa.dot.gov/real\\_estate/practitioners/uniform\\_act/program\\_administration/appraisal\\_waiver/appwaiv06.cfm](http://www.fhwa.dot.gov/real_estate/practitioners/uniform_act/program_administration/appraisal_waiver/appwaiv06.cfm).

### **Application Checklist Item # 18**

#### **Purchase Agreement, Option Agreement, or Other Document Showing Agreed Price** (For ACQUISITION PROJECTS only)

Provide a document showing the agreed purchase price between the land owner (seller) and APPLICANT. The document must provide strong assurance that the land owner will sell the property to the APPLICANT with a legally binding agreed purchase price.

If eminent domain is used, provide the court order showing the price determined by the court.

**See the WAIVER OF RETROACTIVITY APPLICATION Checklist Item # 5 on page 30 if the ACQUISITION is urgent.**

### **Development Projects Only**

### **Application Checklist Item # 19**

#### **Land Tenure Requirement**

For DEVELOPMENT PROJECTS, the PROJECT land must be owned by the APPLICANT at the time of APPLICATION.

Provide the deed or other document showing that the APPLICANT owns the PROJECT land.

### **Application Checklist Item # 20**

#### **Concept Level Site Plan**

- Provide a drawing (no more than 11"x17") showing where the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the GRANT SCOPE/Cost Estimate Form will be located in the PARK.
- If the GRANT SCOPE includes a building(s), note the function and approximate square footage of each space designated for recreation, and the building's approximate total square footage.
- Indicate or describe where and how the public will access the PARK and where parking is currently located or will be located.

## Eligible Costs Chart

This section provides rules and examples of ELIGIBLE COSTS for ACQUISITION and DEVELOPMENT.

### Acquisition Costs

The following provide examples of ELIGIBLE COSTS for ACQUISITION.

<b>ACQUISITION COSTS</b> (Up to 100% of GRANT Amount)	<b>EXAMPLES</b>
<p><b>Purchase price of the property and relocation costs</b></p> <p>(Note: LWCF will not reimburse “incidental costs”. Per the NPS LWCF State Assistance Manual in Chapter 4.D.7.f. on page 4-23: “The LWCF Act precludes using Fund assistance for incidental costs relating to ACQUISITION.” These incidental costs include preliminary title reports, appraisal fees, escrow costs, and title insurance fees – all not eligible.)</p>	<ul style="list-style-type: none"> <li>• <b>Cost of the land</b> (but <u>not</u> incidental costs of preliminary title reports, appraisal fees, escrow costs, and title insurance fees)</li> <li>• <b>Relocation costs:</b> costs resulting in displacement of tenants (not willing sellers or GRANTEES) pursuant to Government Code §7260 – 7277.               <ul style="list-style-type: none"> <li>○ If the GRANT is not paying for relocation costs, the GRANTEE must ensure that the seller is paying displaced tenants in compliance with Government Code §7260 – 7277.</li> </ul> </li> <li>• <b>Employee services:</b> see accounting rules for employee services explained in the GRANT ADMINISTRATION GUIDE.</li> <li>• <b>PROJECT/GRANT administration and accounting</b></li> </ul>

## Development Costs

DEVELOPMENT includes PRE-AWARD PROJECT PLANNING COSTS.

The following charts provide examples of ELIGIBLE COSTS for PRE-AWARD PROJECT PLANNING COSTS and CONSTRUCTION COSTS.

PRE-AWARD PROJECT PLANNING COSTS	EXAMPLES
<p>Costs incurred during the planning, design, and permit phase of the project, <u>before</u> construction begins. These cost may be incurred up to three years prior to sending the APPLICATION to OGALS, and still be reimbursed or eligible for MATCH. See page 28.</p>	<ul style="list-style-type: none"> <li>• <b>Public meetings/focus groups/design workshop costs.</b></li> <li>• <b>Plans, specifications, construction documents, and cost estimates.</b></li> <li>• <b>Permits.</b></li> <li>• <b>CEQA (see page 42).</b></li> <li>• <b>PD/ESF Form or NEPA analysis (see page 44).</b></li> <li>• <b>Section 106 (see page 40).</b></li> <li>• <b>Premiums on hazard and liability insurance to cover personnel or property.</b></li> <li>• <b>Bid packages.</b></li> <li>• <b>Employee services:</b> see accounting rules for employee services explained in the GRANT. ADMINISTRATION GUIDE.</li> <li>• <b>PROJECT/GRANT administration (excluding GRANT writing) and accounting.</b></li> </ul>
CONSTRUCTION COSTS	EXAMPLES
<p>Costs incurred during the construction phase of the PROJECT when ground-breaking construction activities such as site preparation, grading, or gutting begins.</p>	<ul style="list-style-type: none"> <li>• <b>Site preparation, grading, gutting.</b></li> <li>• <b>Foundation work.</b></li> <li>• <b>Purchase and installation of permanent equipment:</b> playground equipment, benches, signs, display boards, sound systems, video equipment etc.</li> <li>• <b>Construction supplies and materials:</b> may be drawn from central stock if claimed costs are no higher than supplies or materials purchased elsewhere.</li> </ul>

CONSTRUCTION COSTS	EXAMPLES
<p>Costs incurred during the construction phase of the PROJECT when ground-breaking construction activities such as site preparation, grading, or gutting begins</p>	<ul style="list-style-type: none"> <li>• <b>Construction equipment owned by GRANTEE:</b> equipment owned by the GRANTEE may be charged to the GRANT for each use. Rental rates published by the California Department of Transportation may be used as a guide. For audit purposes, a report or source document must describe the work performed, indicate the hours used, relate the use to the GRANT SCOPE, and must be signed by the operator or supervisor.</li> <li>• <b>Construction equipment rented or purchased by GRANTEE:</b> may also be rented or purchased, whichever is the most economical use of GRANT funds. For purchased equipment, the GRANT will pay for the rental price equivalent in proportion to the time the purchased equipment is used on the GRANT SCOPE. (Rental rates published by the California Department of Transportation may be used as a guide.) The GRANT will pay for the total cost of the equipment if the purchase price is less than the rental price equivalent. Any funds earned by the GRANTEE from the sale of equipment purchased with the GRANT must be spent on the PROJECT.</li> <li>• <b>Construction management:</b> including site inspections.</li> <li>• <b>Employee services</b> – see accounting rules for employee services explained in the GRANT ADMINISTRATION GUIDE.</li> <li>• <b>PROJECT/GRANT administration and accounting.</b></li> <li>• <b>Miscellaneous costs:</b> other costs incurred during the construction phase, such as transporting materials, equipment, personnel, and communications.</li> </ul>



INELIGIBLE COSTS	EXAMPLES OF INELIGIBLE COSTS
Cannot be charged to the GRANT	<ul style="list-style-type: none"> <li>• <b>Outside the GRANT PERFORMANCE PERIOD</b> – costs incurred before or after the GRANT PERFORMANCE PERIOD. Exception is only when PRE-AWARD PROJECT PLANNING COSTS are identified on the <b>PRE-AWARD PROJECT PLANNING COSTS Form and approved by NPS.</b></li> <li>• <b>Overhead business expenses <u>of the GRANTEE’S fixed or ordinary operating costs</u>:</b> (rent, mortgage payments, property taxes, utilities, office supplies).</li> <li>• <b>Outside PARK/PROJECT SITE boundaries</b> – Streets, traffic lights, or other infrastructure not located within the PARK/PROJECT SITE.</li> <li>• <b>Incidental costs relating to ACQUISITION</b> of real property and of interests in real property, unless allowable under the Uniform Relocation Assistance and Real Property Policies Act, P.L. 91-646.” These incidental costs include preliminary title reports, appraisal fees, escrow costs, and title insurance fees – all not eligible.</li> <li>• <b>Fundraising.</b></li> <li>• <b>Food.</b></li> <li>• <b>GRANT Writing.</b></li> <li>• <b>Street improvements or other infrastructure not located within the Section 6(f)(3) BOUNDARY MAP.</b></li> <li>• <b>Costs for staffing programs.</b></li> <li>• <b>Brochures.</b></li> <li>• <b>Operation and maintenance costs of facilities.</b></li> <li>• <b>Employee residences and furnishings.</b></li> </ul>

## Definitions

Capitalized words and terms used in this procedural guide are defined below.

**ACQUISITION** – to obtain fee title of real property or a permanent easement, which gives rights for the GRANTEE to use the property to accommodate public PARK and recreation access in PERPETUITY. A lease or rental is not considered ACQUISITION.

**APPLICANT** – an entity which does not yet have a fully-executed CONTRACT with DPR, and is requesting GRANT funding through a COMPETITIVE process.

**APPLICATION PACKET** – the APPLICATION Form and its required attachments listed in the APPLICATION Checklist on page 19.

**APPORTIONMENT TO CALIFORNIA** – the amount of new authority given to NPS to OBLIGATE LWCF GRANT funds to PROJECTS in California after Congress approves the appropriation for the federal fiscal year. The federal fiscal year starts October 1.

**AUTHORIZED REPRESENTATIVE** – the APPLICANT’S/GRANTEE’S designated position authorized in the Resolution to sign all required GRANT documents. The AUTHORIZED REPRESENTATIVE may designate an alternate by informing OGALS in writing.

**BOUNDARY MAP 6(f)(3)** - a tool used as communication between NPS, OGALS, and GRANTEES that:

- Shows the agreed boundaries of the protected PARK site at the time of PROJECT approval pursuant to Section 6(f)(3) of the LWCF Act and Title 36, Part 59 in the U.S. Code of Federal Regulations.
- Helps with site inspections for compliance with POST-COMPLETION PARK STEWARDSHIP STANDARDS.

When a LWCF PROJECT is completed, the land within the approved 6(f)(3) BOUNDARY MAP is placed under federal protection to preserve the public’s outdoor recreational use of the site in PERPETUITY.

**BUREAU OF OUTDOOR RECREATION (BOR)** – the federal agency that administered LWCF prior to NPS from 1964 to 1978.

**CALIFORNIA OUTDOOR RECREATION PLAN (CORP)** – the CALIFORNIA OUTDOOR RECREATION PLAN is updated every five years as required by LWCF to identify California’s public outdoor recreation needs and priorities.

**CEQA** – the California Environmental Quality Act as stated in the Public Resources Code §21000 et seq.; Title 14 California Code of Regulations §15000 et seq. CEQA is a law establishing policies and procedures that require entities to identify, disclose to decision makers and the public, and attempt to lessen significant impacts to environmental and historical resources that may occur as a result of the entities’ proposed PROJECT. For more information see <http://ceres.ca.gov/CEQA/>.

**COMMITTED FUNDS** – at the time when the APPLICATION PACKET is sent to OGALS, the APPLICANT has possession of additional funds that will be spent on the PROJECT, or has a CONTRACT or other binding agreement with another entity(s) OBLIGATING funds that will be spent on the PROJECT. Funds that are not in the APPLICANT’S possession or not OBLIGATED through a binding agreement are not COMMITTED FUNDS.

**COMPETITIVE** – funds made available to eligible LOCAL AGENCIES pursuant to Public Resource Code §5099.12, through a COMPETITIVE APPLICATION process where all statewide applications are ranked using the PROJECT Selection Criteria.

**CONTRACT** – an agreement between the DPR and the GRANTEE specifying the performance of the GRANT SCOPE within the GRANT PERFORMANCE PERIOD, and other GRANT obligations between the GRANTEE and DPR.

**DEVELOPMENT** – to construct a new RECREATION FEATURE or MAJOR SUPPORT AMENITY. RENOVATION of an existing RECREATION FEATURE is also considered DEVELOPMENT.

**DPR** – the California Department of Parks and Recreation.

**ELIGIBLE COSTS** – PRE-AWARD PROJECT PLANNING COSTS and expenses incurred during the GRANT PERFORMANCE PERIOD to complete the GRANT SCOPE approved by OGALS through a fully executed CONTRACT. Costs of MINOR SUPPORT AMENITIES are combined with costs associated with RECREATION FEATURES and MAJOR SUPPORT AMENITIES.

**ENCUMBERED** – when a CONTRACT for a LWCF GRANT is signed by the APPLICANT and DPR. At this point, the APPLICANT becomes a GRANTEE.

**EXPAND** – the PROJECT will add PARK acreage to an existing adjacent PARK.

**GRANT** – amount of funds made available to a GRANTEE for completion of the GRANT SCOPE during the GRANT PERFORMANCE PERIOD.

**GRANTEE** – an entity having a CONTRACT with DPR for a GRANT funded by the Land and Water Conservation Fund.

**GRANT ADMINISTRATION GUIDE** – the document titled the “LWCF GRANT ADMINISTRATION GRANT” provides requirements and forms for GRANT administration after an APPLICANT becomes a GRANTEE.

**GRANT PERFORMANCE PERIOD** – the period of time shown on the CONTRACT, starting with the date NPS OBLIGATES the funds for the PROJECT, that ELIGIBLE COSTS may be incurred by the GRANTEE and charged to the GRANT.

- Exception: See PRE-AWARD PROJECT PLANNING COSTS and WAIVER OF RETROACTIVITY costs that can be incurred before NPS OBLIGATES the funds for the PROJECT, and then later reimbursed after the APPLICANT becomes a GRANTEE.

**GRANT REQUEST RANGE** – the highest and lowest amount requested by an APPLICANT through the same APPLICATION.

- Maximum of Range: 50% of the TOTAL PROJECT COST, up to \$2 million per APPLICATION.
- Minimum of Range: The lowest LWCF GRANT amount that the APPLICANT is willing to accept through the same APPLICATION.

**GRANT SCOPE** – the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the GRANT SCOPE/Cost Estimate Form that must be completed prior to final GRANT payment.

**HERITAGE CONSERVATION AND RECREATION SERVICE (HCRS)** - the federal agency that administered LWCF prior to NPS from 1978 to 1981.

**JOINT POWERS AUTHORITY** – an agreement between a city, county, and/or a district to perform services, cooperate with, or lend powers for the operation and maintenance of PARK land. For a JOINT POWERS AUTHORITY to be an eligible APPLICANT, at least one member of the JOINT POWERS AUTHORITY must be a LOCAL AGENCY and all members must be public agencies.

**LWCF** – the federal Land and Water Conservation Fund.

**LESSER UNIT** – a 6(f)(3) BOUNDARY MAP for a separate and smaller part of a PARK that can meet specific justifications for not covering the entire PARK on the 6(f)(3) BOUNDARY MAP. See page 39.

**LOCAL AGENCIES –**

- Counties, cities, recreation and park districts and special districts with authority to acquire, operate, and maintain public PARK and recreation areas.
- Federally recognized Native American tribes.
- JOINT POWERS AUTHORITIES (JPA) where all members are public agencies, and that can include a State Agency, if at least one member is a local (non-State) public agency or district formed for the purpose of providing public PARK and recreation areas.

**LOCAL AGENCY COMPETITIVE PROGRAM** – the process and PROJECT selection criteria for counties, cities, recreation and PARK districts and special districts with authority to acquire, operate, and maintain public PARK and recreation areas, and federally recognized Native American tribes, where the APPLICANTS can compete for a GRANT using this APPLICATION Guide.

**MATCH** – amount required to make up the difference between the LWCF GRANT amount requested (the federal share) and the TOTAL PROJECT COST. The GRANTEE must submit ELIGIBLE COSTS to cover both the LWCF GRANT amount and MATCH (TOTAL PROJECT COST established at the time of APPLICATION) in order to be reimbursed the full LWCF GRANT amount.

**MAJOR SUPPORT AMENITY—**

1. Parking lot, restroom building, or other non-recreational facility located within a PROJECT SITE.
2. An improvement to the appearance and safety of the general PROJECT SITE such as landscaping, public art additions, lighting, security cameras, and signage, only when the item, by itself, is estimated to cost \$50,000 or more at the time of APPLICATION.

**MINOR SUPPORT AMENITY** – a permanent single purpose stand-alone item that is not a RECREATION FEATURE, including but not limited to a sign, bench, and drinking fountain estimated to cost, by itself, less than \$50,000 at the time of APPLICATION.

**NEPA** – the National Environmental Protection Act <http://www.epa.gov/compliance/basics/nepa.html>

**NEW PARK** – a PARK that did not exist before the APPLICATION deadline.

**NEW RECREATIONAL OPPORTUNITY** – construction of a new RECREATION FEATURE where none currently exists. Or, for RENOVATION, an existing RECREATION FEATURE will be changed beyond its original condition so that it allows for EXPANDED use.

**NPS** – the National Park Service

**OBLIGATE** – when NPS approves a PROJECT and enters into a funding agreement with DPR/OGALS to designate the GRANT funds for the PROJECT.

**OGALS** – the California Department of Parks and Recreation’s Office of Grants and Local Services.

**OPEN PROJECT SELECTION PROCESS** – the use of COMPETITIVE PROJECT Selection Criteria shown in this APPLICATION GUIDE to recommend California’s LWCF GRANT PROJECTS to NPS.

**OPEN SPACE** – a natural or landscaped portion of the PROJECT designed specifically for active or passive outdoor recreation, or to be a wildlife preserve.

**PARK** – land for the general public’s physical and social health that provides RECREATION FEATURES for outdoor or indoor athletic activities, cultural enrichment, nature appreciation, or other active or passive recreational activities, and which includes a portion of OPEN SPACE. Under this definition, a greenway or linear PARK is also a PARK. A school is not a PARK and a community center on land that does not include an adjacent portion of OPEN SPACE is not a PARK.

**PERPETUITY** – the required STEWARDSHIP of land for eternity within a 6(f)(3) BOUNDARY MAP approved by the NPS.

**POST COMPLETION PARK STEWARDSHIP GUIDE** – a guide available from OGALS that explains NPS’ operation and maintenance requirements in PERPETUITY for land within a 6(f)(3) BOUNDARY MAP approved by the NPS.

**PRE-AWARD PROJECT PLANNING COSTS** – costs incurred prior to NPS' PROJECT approval necessary for PROJECT preparation. Examples include site investigation and selection, site planning, feasibility studies, CEQA/NEPA environmental review, Section 106, and the PD/ESF Form, preliminary design, preparation of cost estimates, construction drawings and specifications.

**PROJECT** – the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the GRANT SCOPE/Cost Estimate Form.

**PROJECT COMPLETION** – when the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the GRANT SCOPE /Cost Estimate Form are complete and the facilities are open and useable by the public. With approval by OGALS, PROJECT COMPLETION may occur before the facilities are open and useable by the public.

**PROJECT OFFICER** – an OGALS employee who acts as a GRANT administration contact for APPLICANTS and GRANTEES.

**PROJECT SITE** – the entire PARK property.

**RATE OF REIMBURSEMENT** – The "RATE OF REIMBURSEMENT" is based on the percentage of the LWCF GRANT amount in relation to the TOTAL PROJECT COST established at the time of APPLICATION. This percentage will be reimbursed to the GRANTEE out of the TOTAL PROJECT COST when the ELIGIBLE COSTS are incurred and listed on the GRANT Expenditure Form submitted by a GRANTEE to OGALS.

**RECREATION FEATURE** – a facility that provides active or passive recreational use. The ACQUISITION of land is also considered a RECREATION FEATURE.

**RENOVATION** – construction to change an existing RECREATION FEATURE beyond its original condition so that it creates a NEW RECREATION OPPORTUNITY and EXPANDED use.

**6(f)(3) BOUNDARY MAP** - a tool used as communication between NPS, OGALS, and GRANTEES that:

- Shows the agreed boundaries of the protected PARK site at the time of PROJECT approval pursuant to Section 6(f)(3) of the LWCF Act and Title 36, Part 59 in the U.S. Code of Federal Regulations.
- Helps with site inspections for compliance with POST-COMPLETION PARK STEWARDSHIP STANDARDS.

When a LWCF PROJECT is completed, the land within the approved 6(f)(3) BOUNDARY MAP is placed under federal protection to preserve the public's outdoor recreational use of the site in PERPETUITY.

**STATE REAPPORTIONMENT ACCOUNT (SRA)** – previously OBLIGATED funds that are no longer needed for the PROJECT because the PROJECT was withdrawn or completed under-budget,

meaning for less than the TOTAL PROJECT COST estimated cost at the time of APPLICATION. The unspent, previously OBLIGATED funds are moved into this separate SRA account by NPS and will not be made available to California for other PROJECTS until all statewide UNOBLIGATED funds become OBLIGATED.

**TOTAL PROJECT COST** – the estimated cost at the time of APPLICATION to complete the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed on the GRANT SCOPE/Cost Estimate Form. The TOTAL PROJECT COST is the LWCF GRANT plus MATCH.

**UNDERSERVED POPULATION** – seniors, at risk youth, and persons with disabilities with the lack of financial resources to access PARKS outside their neighborhood, city, or region.

**UNIFORM APPRAISAL STANDARDS FOR FEDERAL LAND ACQUISITIONS (UASFLA)** – appraisal standards also known as the “Yellow Book” standards required for federal land ACQUISITION. Compliance with UASFLA differs from, yet is generally compatible with the Uniform Standards of Professional Appraisal Practice (USPAP). However, USPAP compliance alone will not result in UASFLA compliance because UASFLA has higher standards than USPAP. For a complete discussion of the specific UASFLA policies and guidance for LWCF appraisals, see pages 4-20 through 4-24 in the NPS LWCF State Assistance Manual.

**UNOBLIGATED FUNDS** – money made available through an APPORTIONMENT TO CALIFORNIA that is not yet allocated to any PROJECT approved by NPS. UNOBLIGATED FUNDS are money that is available for a new LWCF GRANT.

**VIEWSHED** – a particular scenic outdoor natural area deemed worthy of preservation against DEVELOPMENT.

**WAIVER OF RETROACTIVITY** – approval by NPS for the APPLICANT to incur costs and even complete the PROJECT at the APPLICANT’S own risk before NPS approves the PROJECT and OBLIGATES the GRANT funds (before the APPLICANT becomes a GRANTEE). For the costs to become retroactively eligible, the “WAIVER OF RETROACTIVITY” request must be approved by NPS before the costs are incurred. With this NPS approval, the APPLICANT can then incur costs and eventually request a reimbursement if the APPLICANT becomes a GRANTEE. See Requesting a WAIVER OF RETROACTIVITY on page 30.

